CONSTITUTIONS AND CANONS ECCLESIASTICAL.

Treated upon by the Bishop of LONDON, President of the Convocation for the Province of CANTERBURY, and the rest of the Bishops and Clergy of the said Province.

And agreed upon with the Kings Majesties Licence in their Synod begun at *London*, *Anno Dom.* 1603. And in the year of our Sovereign Lord, *JAMES* by the grace of God King of *England*, *France* and *Ireland*, the First, and of *Scotland* the seven and thirtieth.

And now published for the due observation of them, by His Majesties Authority under the Great Seal of ENGLAND.

LONDON, Printed for A. CROOK, J. KIRTON, and T. GARTHWAIT. 1665.

CONSTITUTIONS

AND

CANONS

ECCLESIASTICAL.

JAMES,

By the grace of God King of *England*, *Scotland*, *France*, and *Ireland*, Defender of the Faith, &c. To all whom these presents shall come, Greeting.

Whereas Our Bishops, Deans of Our Cathedral Churches, Arch-deacons, Chapters and Colleges, and the other Clergy of every Diocess within the Province of Canterbury, **being summoned and called by vertue of Our Writ directed to the most reverend Father in God** John **late Arch-bishop of** Canterbury, **and bearing date the** 31. **day of** January **in the first year of Our Reign of** England, France **and** Ireland, **and of** Scotland **the** 37. **to have appeared before him in Our**

Cathedral Church of Saint Paul in London the 20. day of March then next ensuing, or elsewhere, as he should have thought it most convenient, to treat, consent, and conclude upon certain difficult, and urgent affairs mentioned in the said Writ, Did thereupon at the time appointed, and within the Cathedral Church of Saint Paul aforesaid, assemble themselves and appear in Convocation for that purpose, according to Our said Writ, before the Right reverend Father in God Richard Bishop of London, duly (upon a second Writ of Ours dated the 9. day of March aforesaid) authorized, appointed and constituted, by reason of the said Archbishop of Canterbury his death, President of the said Convocation, to execute those things which by vertue of Our first Writ did appertain to him the said Archbishop to have executed if he had lived: We for divers urgent and weighty causes and considerations us thereunto especially moving, of Our especial grace, certain knowledge, and meer motion, did by vertue of our Prerogative Royal and supreme Authority in causes Ecclesiastical, give and grant by Our several Letters Patents under Our great Seal of England, the one dated the 12. day of April last past, and the other the 25. day of June then next following, full, free, and lawfull liberty, licence, power, and Authority unto the said Lord Bishop of London President of the said Convocation, and to the other Bishops, Deans, Archdeacons,

deacons, Chapters and Colleges, and the reſt of the Clergy before-mentioned of the ſaid Province, That they from time to time during Our firſt Parliament now prorogued, might confer, treat, debate, conſider, conſult, and agree of, and upon ſuch Canons, Orders, Ordinances and Conſtitutions, as they ſhould think neceſſary, fit, and convenient for the honour and ſervice of Almighty God, the good and quiet of the Church, and the better government thereof to be from time to time obſerved, performed, fulfilled, and kept, as well by the Arch-biſhops of Canterbury, the Biſhops, and their Succeſſors, and the reſt of the whole Clergy of the ſaid Province of Canterbury in their ſeveral Callings, Offices, Functions, Miniſteries, Degrees, and Adminiſtrations, as alſo by all and every Dean of the Arches, and other Judg of the Arch-biſhops Courts, Gardians of Spiritualties, Chancellors, Deans and Chapters, Arch-deacons, Commiſſaries, Officials, Regiſters, and all and every other Eccleſiaſtical Officers, and their inferiour Miniſters whatſoever of the ſame Province of Canterbury, in their and every of their diſtinct Courts, and in the order and manner of their and every of their proceedings: and by all other perſons within this Realm, as far as lawfully being members of the Church, it may concern them, as in our ſaid Letters Patents amongſt other clauſes more at large doth appear. Forasmuch as the ſaid

Biſhop

Bishop of London, President of the said Convocation, and others the said Bishops, Deans, Archdeacons, Chapters and Colleges, with the rest of the Clergy having met together at the time and place before-mentioned, and then and there, by vertue of our said authority granted unto them, treated of, concluded, and agreed upon, certain Canons, Orders, Ordinances and Constitutions, to the end and purpose by Us limited and prescribed unto them, and have thereupon offered and presented the same unto Us, most humbly desiring Us to give our Royal assent unto their said Canons, Orders, Ordinances, and Constitutions, according to the form of a certain Statute or Act of Parliament made in that behalf in the xxv. year of the Reign of King HENRY the eight, and by our said Prerogative Royal, and supreme Authority in causes Ecclesiastical, to ratifie by our Letters Patents under Our great Seal of England, and to confirm the same: the Title and Tenour of them being word for word as ensueth:

Con-

CONSTITUTIONS,
AND
CANONS ECCLESIASTICAL,

Treated by the Bishop of *London*, President of the Convocation for the Province of *Canterbury*, and the rest of the Bishops and Clergy of the said Province: and agreed upon, with the Kings Majesties Licence, in their Synod begun at *London*, *Anno Dom.* 1603.

In the year of the Reign of our Soveraign Lord *JAMES* by the Grace of God, King of *England*, *France*, and *Ireland*, the first, and of *Scotland* the thirty seventh.

Of the Church of *ENGLAND.*

I.

The Kings Supremacy over the Church of England, *in causes Ecclesiastical, to be maintained.*

AS our duty to the Kings most Excellent Majesty requireth, we first decree, and ordain, That the Arch-bishop of *Canterbury*, (from time to time) all Bishops of this Province, or Deans, Arch-deacons, Vicars, and all other Ecclesiastical persons, shall faithfully keep, and observe, and (as much as in them lyeth) shall cause to be observed, and

kept of others,all,and singular Laws,and Statutes made for the restoring to the Crown of this Kingdome, the ancient Jurisdiction over the State Ecclesiastical, and abolishing of all forein Power repugnant to the same: Furthermore,all Ecclesiastical persons having cure of Souls, and all other Preachers,and Readers of Divinity Lectures,shall to the uttermost of their wit,knowledge,and learning,purely,and sincerely (without any colour or dissimulation) teach,manifest,open,and declare four times every year (at the least) in their Sermons,and other collations, and Lectures, That all usurped, and forein Power, (forasmuch as the same hath no establishment nor ground by the Law of God) is for most just causes taken away, and abolished: and that therefore no manner of obedience,and subjection within his Majesties Realms,and Dominions, is due unto any such forein Power: but that the Kings Power within his Realms of *England*, *Scotland*, and *Ireland*, and other his Dominions,and Countries, is the highest Power under God,to whom all men,as well Inhabitants as born within the same,do by Gods Laws ow† most loyalty, and obedience, afore, and above all other Power,and Potentates in the earth.

II

Impugners of the Kings Supremacy censured.

WHosoever shall hereafter affirm,that the Kings Majesty hath not the same authority in Causes Ecclesiastical, that the godly Kings had among the Jews, and Christian Emperours in the Primitive Church, or impeach in any part his

† *Fidem omnem.*

Regal

Regal Supremacy in the ſaid Cauſes reſtored to the Crown, and by the Laws of this Realm therein eſtabliſhed, let him be excommunicated *ipſo facto*, and not reſtored but only by the Arch-biſhop after his repentance, and publick revocation of thoſe his wicked errors.

III.

The Church of England *a true, and Apoſtolical Church.*

WHoſoever ſhall hereafter affirm, that the Church of *England*, by Law eſtabliſhed under the Kings Majeſty, is not a true, and Apoſtolical Church, teaching, and maintaining the Doctrine of the Apoſtles, let him be excommunicated *ipſo facto*, and not reſtored, but only by the Arch-biſhop after his repentance, and publick revocation of this his wicked error.

IV.

Impugners of the publick Worſhip of God, eſtabliſhed in the Church of England, *cenſured.*

WHoſoever ſhall hereafter affirm, that the form of Gods worſhip in the Church of *England*, eſtabliſhed by the Law, and contained in the Book of Common Prayer, and adminiſtration of Sacraments, is a corrupt, ſuperſtitious, or unlawful worſhip of God, or containeth any thing in it that is repugnant to the Scriptures: let him be excommunicated *ipſo facto*, and not reſtored but by the Biſhop of the place, or Arch-biſhop, after his repentance, and publick revocation of ſuch his wicked errors.

V.

Impugners of the Articles of Religion, eſtabliſhed in the Church of England, *cenſured.*

WHoſoever ſhall hereafter affirm, that any of the nine and thirty Articles, agreed upon by the Arch-Biſhops and Biſhops of both Provinces, and the whole Clergy in the Convocation holden at *London*, in the year of our Lord God, one thouſand five hundred ſixty two, for the avoiding of diverſities of opinions, and for the eſtabliſhing of conſent touching true Religion, are in any part ſuperſtitious or erronious, or ſuch as he may not with a good conſcience ſubſcribe unto: let him be excommunicated *ipſo facto*, and not reſtored, but only by the Arch-biſhop, after his repentance, and publick revocation of ſuch his wicked errors.

VI.

Impugners of the Rites and Ceremonies, eſtabliſhed in the Church of England, *cenſured.*

WHoſoever ſhall hereafter affirm, that the Rites and Ceremonies of the Church of *England*, by Law eſtabliſhed, are wicked, antichriſtian, or ſuperſtitious, or ſuch, as being commanded by lawful authority, men who are zealouſly and godly affected, may not with any good conſcience approve them, uſe them, or as occaſion requireth, ſubſcribe unto them: let him be excommunicated *ipſo facto*, and not reſtored, until he repent, and publickly revoke ſuch his wicked errors.

Impugners

VII.

Impugners of the government of the Church of England by Arch-bishops, Bishops, &c. censured.

WHosoever shall hereafter affirm, that the government of the Church of *England* under his Majesty by Arch-bishops, Bishops, Deans, Arch-deacons, and the rest that bear Office in the same, is Antichristian or repugnant to the Word of God: let him be excommunicated *ipso facto*, and so continue, until he repent, and publickly revoke such his wicked errors.

VIII.

Impugners of the form of consecrating, and ordering Arch-bishops, Bishops, &c. in the Church of England, censured.

WHosoever shall hereafter affirm or teach, that the form, and manner of making, and consecrating Bishops, Priests, or Deacons, containeth any thing in it, that is repugnant to the Word of God, or that they who are made Bishops, Priests, or Deacons, in that form, are not lawfully made, nor ought to be accounted either by themselves, or by others to be truly either Bishops, Priests, or Deacons, until they have some other calling to those divine Offices: let him be excommunicated *ipso facto*, not to be restored until he repent and publickly revoke such his wicked errors.

IX.

Authors of Schisms, in the Church of England, censured.

WHosoever shall hereafter separate themselvs from the Communion of Saints, as it is approved by the Apo-

stles

ſtles rules in the Church of *England*, and combine themſelvs together in a new Brother-hood, accounting the Chriſtians who are conformable to the Doctrine, Government, Rites, and Ceremonies of the Church of *England*, to be prophane, and unmeet for them to joyn with in Chriſtian profeſſion: let them be excommunicated *ipſo facto*, and not reſtored, but by the Archbiſhop, after their Repentance, and publick revocation of ſuch their wicked errors.

X.

Maintainers of Schiſmaticks, in the Church of England, cenſured.

WHoſoever ſhall hereafter affirm, That ſuch Miniſters as refuſe to ſubſcribe to the form, and manner of Gods worſhip in the Church of *England*, preſcribed in the Communion-Book, and their adherents, may truly take unto them the names of another Church not eſtabliſhed by Law, and dare preſume to publiſh it, that this their pretended Church hath of long time groaned under the burden of certain grievances impoſed upon the members thereof before-mentioned by the Church of *England*, and the Orders and Conſtitutions therein by Law eſtabliſhed: let them be excommunicated, and not reſtored, until they repent, and publickly revoke ſuch their wicked errors.

XI.

Maintainers of Conventicles, cenſured.

WHoſoever ſhall hereafter affirm or maintain, That there are within this Realm, other Meetings, Aſſemblies or Congregations of the Kings born Subjects, than ſuch as by the

the Laws of this Land are held, and allowed, which may rightly challenge to themſelves the name of true and Lawful Churches: let him be excommunicated, and not reſtored but by the Archbiſhop, after his repentance, and publick revocation of ſuch his wicked errors.

XII.

Maintainers of Conſtitutions made in Conventicles, cenſured.

WHoſoever ſhall hereafter affirm, that it is lawful for any ſort of Miniſters, and Lay-perſons, or either of them, to joyn together, and make Rules, Orders or Conſtitutions in Cauſes Eccleſiaſtical without the Kings Authority, and ſhall ſubmit themſelves to be ruled, and governed by them; let them be excommunicated *ipſo facto*, and not be reſtored until they repent, and publickly revoke thoſe their wicked, and Anabaptiſtical errors.

Of Divine Service, and Adminiſtration of the Sacraments.

XIII.

Due Celebration of Sundaies and Holidaies.

ALL manner of perſons within the Church of *England*, ſhall from henceforth celebrate, and keep the Lords day, commonly called Sunday, and other Holidaies, according to Gods holy will, and pleaſure, and the Orders of the Church of *England* preſcribed in that behalf, that is, in the hearing of the Word of God read, and taught, in private, and publick prayers, in acknowledging their

their offences to God, and amendment of the ſame, in reconciling themſelves charitably to their neighbours where diſpleaſure hath been, in oftentimes receiving the Communion of the Body and Blood of Chriſt, in viſiting of the poor and ſick, uſing all good and ſober converſation.

XIIII.

The preſcript form of Divine Service to be uſed on Sundaies, and Holy daies.

THe Common-Prayer ſhall be ſaid or ſung diſtinctly, and reverently, upon ſuch daies as are appointed to be kept holy by the Book of Common-Prayer, and their Eves, and at convenient and uſeful times of thoſe daies, and in ſuch place of every Church as the Biſhop of the Dioceſs, or Eccleſiaſtical Ordinary of the place ſhall think meet for the largneſs or ſtraitneſs of the ſame, ſo as the people may be moſt edified. All Miniſters likewiſe ſhall obſerve the Orders, Rites, and Ceremonies preſcribed in the Book of Common-Prayer, as well in reading the holy Scriptures, and ſaying of Prayers, as in adminiſtration of the Sacraments, without either diminiſhing in regard of Preaching, or in any other reſpect, or adding any thing in the matter or form thereof.

XV.

The Litany to be read on Wedneſdaies and Fridaies.

THe Litany ſhall be ſaid or ſung when, and as it is ſet down in the Book of Common-Prayer, by the Parſons, Vicars, Miniſters, or Curates, in all Cathedral, Collegiat, Pariſh

Pariſh-Churches, and Chapels, in ſome convenient place, according to the diſcretion of the Biſhop of the Dioceſs, or Eccleſiaſtical Ordinary of the place. And that we may ſpeak more particularly; upon Wedneſdaies, and Fridaies weekly, though they be not Holidaies, the Miniſter, at the accuſtomed hours of Service, ſhall reſort to the Church and Chapel, and warning being given to the people by tolling of a Bell, ſhall ſay the Litany preſcribed in the Book of Common-Prayer: whereunto we wiſh every Houſholder, dwelling within half a mile of the Church, to come or ſend one at leaſt of his houſhold fit to joyn with the Miniſter in prayers.

XVI.

Colleges to uſe the preſcript form of Divine Service.

IN the whole Divine Service, and Adminiſtration of the holy Communion, in all Colleges, and Halls in both Univerſities, the Orders, Form, and Ceremonies ſhall be duely obſerved, as are ſet down, and preſcribed in the Book of Common-Prayer, without any omiſſion or alteration.

XVII

Students in Colleges to wear Surplices in time of Divine Service.

ALl Maſters and Fellows of Colleges or Halls, and all the Scholars and Students in either of the Univerſities, ſhall in their Churches and Chapels upon all Sundaies, Holidaies, and their Eves, at the time of Divine Ser-

vice wear Surplices, according to the order of the Church of *England*: and ſuch as are Graduates ſhall agreeably wear with their Surplices, ſuch Hoods as do ſeverally appertain to their degrees.

XVIII.

Reverence and attention to be uſed within the Church in time of Divine Service.

IN the time of Divine Service, and of every part thereof, all due reverence is to be uſed: For it is according to the Apoſtles Rule, *Let all things be done decently, and according to Order*. Anſwerable to which Decency, and Order, We judge theſe our directions following: No man ſhall cover his head in the Church or Chapel in time of Divine Service, except he have ſome infirmity, In which caſe let him wear a Night-cap or Coife. All manner of perſons then preſent ſhall reverently kneel upon their knees, when the general Confeſſion, Litany, and other prayers are read, and ſhall ſtand up at the ſaying of the Belief, according to the Rules in that behalf preſcribed in the Book of Common Prayer. And likewiſe when in time of Divine Service the Lord JESUS ſhall be mentioned, due, and lowly reverence ſhall be done by all perſons preſent, as hath been accuſtomed: teſtifying by theſe outward Ceremonies, and geſtures, their inward humility, Chriſtian reſolution, and due acknowledgment that the Lord Jeſus Chriſt, the true, and eternal Son of GOD, is the only Saviour of the world, in whom alone all the Mercies, Graces,

and

and Promiſes of GOD to mankind for this life, and the life to come, are fully and wholy compriſed. None, either man, or woman, or child, of what calling ſoever, ſhall be otherwiſe at ſuch times buſied in the Church, than in quiet attendance to hear, mark, and underſtand that which is read, preached, or miniſtred; Saying in their due place, and audibly with the Miniſter, the Confeſſion, the Lords Prayer, and the Creed; and making ſuch other anſwers to the publick Prayers, as are appointed in the book of Common prayer: neither ſhall they diſturb the Service or Sermon by walking, or talking, or any other way, nor depart out of the Church during the time of Service, and Sermon, without ſome urgent or reaſonable cauſe.

XIX.

Loyterers not to be ſuffered neer the Church in time of Divine Service.

THE Church-wardens or Queſt-men, and their aſſiſtants, ſhall not ſuffer any idle perſons to abide either in Church-yard, or Church-porch, during the time of Divine Service or Preaching: but ſhall cauſe them either to come in, or to depart.

XX.

Bread and Wine to be provided againſt every Communion.

THE Church-wardens of every Pariſh, againſt the time of every Communion, ſhall, at the charge of the Pariſh, with the advice and direction of the Miniſter, provide a

ſufficient quantity of fine white Bread, and of good, and wholſome Wine, for the number of Communicants that ſhall from time to time receive there, which Wine we require to be brought to the Communion Table in a clean, and ſweet ſtanding Pot, or Stoop of Pewter†, if not of purer Metal.

XXI.

The Communion to be thrice a year received.

IN every Pariſh Church, and Chapel, where Sacraments are to be adminiſtred within this Realm, the holy Communion ſhall be Miniſtred by the Parſon, Vicar, or Miniſter, ſo often, and at ſuch times, as every Pariſhioner may Communicate at the leaſt thrice in the year (whereof the feaſt of Eaſter to be one) according as they are appointed by the Book of Common Prayer. Provided, that every Miniſter, as often as he adminiſtreth the Communion, ſhall firſt receive the Sacrament himſelf. Furthermore, no Bread nor Wine newly brought ſhall be uſed: but firſt the words of Inſtitution ſhall be rehearſed when the ſaid Bread and Wine be preſent upon the Communion Table. Likewiſe the Miniſter ſhall deliver both the Bread and Wine to every Communicant ſeverally.

XXII.

Warning to be given before-hand for the Communion.

WHereas every Lay perſon is bound to receive the holy Communion thrice every year, and many notwithſtanding do not receive the Sacrament once in a year:

† *In cænophoro nitido & mundo, cocq; ex Stanno.*

We

We do require every Miniſter to give warning to his Pariſhioners publickly in the Church at Morning Prayer the Sunday before every time of his adminiſtring that holy Sacrament, for their better preparation of themſelvs: Which ſaid warning, We enjoyn the ſaid Pariſhioners to accept, and obey, under the penalty, and danger of the Law.

XXIII.

Students in Colleges to receive the Communion four times a year.

IN all Colleges and Halls within both the Univerſities, the Maſters, and Fellows, ſuch eſpecially as have any Pupils, ſhall be carefull, that all their ſaid Pupils, and the reſt as remain amongſt them, be well brought up, and thorowly inſtructed in points of Religion, and that they do diligently frequent publick Service, and Sermons, and receive the holy Communion: which we ordain to be adminiſtred in all ſuch Colleges, and Halls, the firſt or ſecond Sundays of every month, requiring all the ſaid Maſters, and Fellows, and Scholars, and all the reſt of the Students, Officers, and all other the ſervants there ſo to be ordered, that every one of them ſhall communicate four times in the year at the leaſt, kneeling reverently, and decently upon their knees, according to the order of the Communion-book preſcribed in that behalf.

XXIV.

Copes to be worn in Cathedral Churches, by thoſe that adminiſter the Communion.

IN Cathedral, and Collegiate Churches, the holy Communion ſhall be adminiſtred upon principal Feaſt-days, ſometimes by the Biſhop, if he be preſent, and ſometimes by the Dean, and at ſometimes, by a Canon or Prebendary: the principal Miniſter uſing a decent Cope, and being aſſiſted with the Goſpeller, and Epiſtler agreeably, according to the Advertiſement publiſhed *Anno* 7. *Eliza.* the ſaid Communion to be adminiſtred at ſuch times, and with ſuch limitation, as is ſpecified in the Book of Common Prayer. Provided, that no ſuch limitation by any conſtruction ſhall be allowed of, but that all Deans, Wardens, Maſters, or heads in Cathedral and Collegiate Churches, Prebendaries, Canons, Vicars, Peti-canons, Singing-men, and all others of the Foundation, ſhall receive the Communion four times yearly at the leaſt.

XXV.

Surplices and Hoods to be worn in Cathedral Churches when there is no Communion.

IN the time of Divine ſervice, and Prayers in all Cathedral and Collegiate Churches, when there is no Communion, it ſhall be ſufficient to wear Surplices: ſaving that all Deans, Maſters, or Heads of Collegiate Churches, Canons, and Prebendaries being Graduates, ſhall dayly at the times both

of

of Prayer, and Preaching, wear with their Surplices ſuch Hoods as are agreeable to their degrees.

XXVI.

Notorious offenders not to be admitted to the Communion.

NO Miniſter ſhall in any wiſe admit to the receiving of the holy Communion, any of his Cure or Flock which be openly known to live in ſin notorious, without Repentance. Nor any who have maliciouſly, and openly contended with their neighbours, untill they ſhall be reconciled: Nor any Church-wardens or Side men, who, having taken their oaths to preſent to their Ordinaries all ſuch publick offences as they are particularly charged to enquire of their ſeveral Pariſhes, ſhall (notwithſtanding their ſaid oaths, and that their faithful diſcharging of them, as the cheif means whereby publick ſin, and offences, may be reformed, and puniſhed) wittingly, and willingly, deſperately, and irreligiouſly incur the horrible crime of Perjury, either in neglecting or in refuſing to preſent ſuch of the ſaid enormities, and publick offences, as they know themſelvs to be committed in the ſaid Pariſhes, or are notoriouſly offenſive to the Congregation there: although they be urged by ſome of their neighbours, or by their Miniſter, or by their Ordinary himſelf, to diſcharge their conſciences by preſenting of them, and not to incur ſo deſperately the ſaid horrible ſin of Perjury.

Schiſmaticks

XXVII.

Schiſmaticks not to be admitted to the Communion.

NO Miniſter, when he celebrateth the Communion, ſhall wittingly adminiſter the ſame to any but to ſuch as kneel, under pain of ſuſpenſion, nor under the like pain to any that refuſe to be preſent at publick Prayers, according to the Orders of the Church of *England*, nor to any that are common and notorious depravers of the Book of Common-prayer, and adminiſtration of the Sacraments, and of the Orders, Rites, and Ceremonies therein preſcribed, or of any thing that is contained in any of the Articles agreed upon in the Convocation 1562. or of any thing contained in the Book of ordering Prieſts and Bishops, or to any that have ſpoken againſt, and depraved his Majeſties Soveraign Authority in cauſes Eccleſiaſtical: Except every ſuch perſon ſhall firſt acknowledge to the Miniſter, before the Church-wardens, his Repentance for the ſame, and promiſe by word (if he cannot write) that he will do ſo no more, and except (if he can write) he ſhall firſt do the ſame under his handwriting, to be delivered to the Miniſter, and by him ſent to the Biſhop of the Dioceſs, or Ordinary of the place. Provided that every Miniſter ſo repelling any (as is ſpecified either in this or the next precedent Conſtitution) ſhall upon complaint, or being required by the Ordinary, ſignifie the cauſe thereof unto him, and therein obey his order, and direction.

Strangers

XXVIII.

Strangers are not to be admitted to the Communion.

THe Church-wardens or Queſt-men, & their Aſſiſtants ſhall mark, as well as the Miniſter, whether all and every of the Pariſhioners, come ſo often every year to the holy Communion as the Laws, and our Conſtitutions do require: And whether any ſtrangers come often, and commonly from other Pariſhes to their Church, and ſhall ſhew their Miniſter of them, leſt perhaps they be admitted to the Lords Table amongſt others; which they ſhall forbid, and remit ſuch home to their own Pariſh Churches, and Miniſters, there to receive the Communion with the reſt of their own neighbours.

XXIX.

Fathers not to be Godfathers in Baptiſm, nor children not Communicants.

NO Parent ſhall be urged to be preſent, nor be admitted to anſwer as Godfather for his own child: nor any God-father or God-mother ſhall be ſuffered to make any other anſwer, or ſpeech, than by the Book of Common Prayer is preſcribed in that behalf. Neither ſhall any perſon be admitted God-father or God-mother to any child at chriſtning or confirmation, before the ſaid perſon ſo undertaking hath received the holy Communion.

XXX.

The lawfull uſe of the Croſs in Baptiſm explained.

WEe are ſorry that his Majeſties moſt Princely care, and pains taken in the conference at *Hampton-Court*

amongſt many other points, touching this one of the Croſs in Baptiſm, hath taken no better effect with many; but that ſtill the uſe of it in Baptiſm is ſo greatly ſtuck at, & impugned. For the further declaration therefore of the true uſe of this ceremony, and for the removing of all ſuch ſcruple as might any way trouble the conſciences of them who are indeed rightly religious, following the royal ſteps of our moſt worthy King, becauſe he therein followeth the Rules of the Scriptures, and the practice of the *Primitive Church*: we do commend to all the true members of the Church of *England*, theſe our directions, and obſervations enſuing.

Firſt, it is to be obſerved, that although the *Jews*, and *Ethnicks* derided both the Apoſtles, and the reſt of the Chriſtians for preaching, and believing in him who was crucified upon the Croſs: yet all, both Apoſtles, and Chriſtians were ſo far from being diſcouraged from their profeſſion by the ignominy of the croſs, as they rather rejoyced, and triumphed in it. Yea, the Holy Ghoſt by the mouths of the Apoſtles did honour the name of the croſs (being hateful among the *Jews*) ſo far, that under it he comprehended not only Chriſt crucified, but the force, effect, and merits of his death, and Paſſion, with all the comforts, fruits, and promiſes which we receive or expect thereby.

Secondly, the honour, and dignity of the name of the croſs begat a reverend eſtimation even in the Apoſtles times (for ought that is known to the contrary) of the ſign of the croſs,

which

which the Chriſtians ſhortly after uſed in all their actions, thereby making an outward ſhew, and profeſſion even to the aſtoniſhment of the *Jews*, that they were not aſhamed to acknowledge him for their Lord, and Saviour, who dyed for them upon the croſs. And this ſign they did not only uſe themſelvs with a kind of glory, when they met with any *Jews*, but ſigned therewith their children when they were Chriſtened, to dedicate them by that badge to his ſervice, whoſe benefits beſtowed upon them in Baptiſm, the name of the Croſs did repreſent. And this uſe of the ſign of the croſs in Baptiſm was held in the *Primitive Church*, as well by the Greeks as the Latines, with one conſent, and great applauſe. At what time, if any had oppoſed themſelvs againſt it, they would certainly have been cenſured as enemies of the name of the croſs, and conſequently of Chriſt's merits, the ſign whereof they could no better indure. This continual, and general uſe of the ſign of the croſs, is evident by many teſtimonies of the antient Fathers.

Thirdly, it muſt be confeſſed, that in proceſs of time, the ſign of the croſs was greatly abuſed in the Church of *Rome*, eſpecially after that corruption of Popery had once poſſeſſed it. But the abuſe of a thing doth not take away the lawfull uſe of it. Nay, ſo far was it from the purpoſe of the Church of *England*, to forſake, and reject the Churches of *Italy*, *France*, *Spain*, *Germany*, or any ſuch like Churches, in all things which they held, and practiſed, that as the Apology of the Church

of *England* confeſſeth, it doth with reverence retain thoſe ceremonies which do neither endamage the Church of God, nor offend the minds of ſober men: and onely departed from them in thoſe particular points, wherein they were fallen both from themſelves in their antient integrity, and from the Apoſtolical Churches which were their firſt founders. In which reſpect, amongſt ſome other very ancient ceremonies, the ſign of the croſs in Baptiſm hath been retained in this Church, both by the judgment, and practice of thoſe reverend Fathers, and great Divines, in the days of King *Edward* the ſixt, of whom ſome conſtantly ſuffered for the profeſſion of the truth: and others being exil'd in the time of Queen *Mary*, did after their return, in the beginning of the Reign of our late dread Sovereign, continually defend, and uſe the ſame. This reſolution, and practice of our Church hath been allowed, and approved by the cenſure upon the Communion Book in King *Edward* the ſixt his days, and by the harmony of confeſſion of later years: becauſe indeed, the uſe of this ſign in Baptiſm, was ever accompanied here with ſuch ſufficient cautions, and exceptions againſt all Popiſh ſuperſtition and error, as in the like caſes are either fit or convenient.

Firſt, the Church of *England*, ſince the aboliſhing of Popery, hath ever held, and taught, and ſo doth hold and teach ſtill, that the ſign of the croſs uſed in Baptiſm, is no part of the ſubſtance of that Sacrament. For when the Miniſter dipping the Infant in Water, or laying Water upon the face of it

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(as the manner alſo is) hath pronounced theſe words, *I baptize thee in the Name of the Father, and of the Son, and of the holy Ghoſt*, the infant is fully and perfectly baptized. So as the ſign of the croſs being afterwards uſed, doth neither add any thing to the vertue & perfection of Baptiſm, nor being omitted, doth detract any thing from the effect and ſubſtance of it.

Secondly, it is apparent in the Communion Book, that the Infant baptized is by vertue of Baptiſm, before it be ſigned with the ſign of the croſs, received into the Congregation of Chriſt's flock as a perfect member thereof, and not by any power aſcribed unto the ſign of the croſs. So that for the very remembrance of the croſs, which is very precious to all them that rightly believe in *Jeſu Chriſt*, and in the other reſpects mentioned, the Church of *England* hath reteined ſtill the ſign of it in Baptiſm: following therein the Primitive and Apoſtolical Churches, and accounting it a lawful outward ceremony, and honourable badge, whereby the Infant is dedicated to the ſervice of him that died upon the croſs, as by the words uſed in the Book of Common Prayer, it may appear.

Laſtly, the uſe of the ſign of the croſs in Baptiſm, being thus purged from all Popiſh ſuperſtition, and error, and reduced to the Church of *England*, in the primary Inſtitution of it, upon thoſe true Rules of Doctrine concerning things indifferent, which are conſonant to the Word of God, and the judgments of all the antient Fathers: We hold it the part

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of every private man, both Miniſter and other, reverently to retain the true uſe of it preſcribed by publick Authority; conſidering that things of themſelves indifferent, do in ſome ſort alter their natures, when they are either commanded or forbidden by a lawful Magiſtrate: and may not be omitted at every man's pleaſure contrary to the Law, when they be commanded, nor uſed when they are prohibited.

Miniſters, their Ordination, Function, and Charge.

XXXI.

Four ſolemn times appointed for the making of Miniſters.

Forasmuch as the antient Fathers of the Church, led by example of the Apoſtles, appointed Prayers and Faſts to be uſed at the ſolemn ordering of Miniſters; and to that purpoſe allotted certain times, in which only ſacred Orders might be given or conferred: We, following their holy and Religious example, do conſtitute, and decree, That no Deacons or Miniſters be made or ordained; but only upon the Sundays immediately following *Jejunia quatuor temporum*, commonly called Ember weeks, appointed in antient time for Prayer and Faſting (purpoſely for this cauſe, at their firſt Inſtitution) and ſo continued at this day in the Church of *England*; and that this be done in the Cathedral or Pariſh Church where the Biſhop reſideth, and in the time of Divine Service, in the preſence not only of the Arch-

deacon, but of the Dean, and two Prebendaries at the leaſt, or (if they ſhall happen by any lawful cauſe to be let or hindred) in the preſence of four other grave Parſons, being maſters of Arts at the leaſt, & allowed for publick Preachers.

XXXII.

None to be made Deacon and Miniſter both in one day.

THE Office of a Deacon being a ſtep or degree to the Miniſtery, according to the judgment of the antient Fathers, and the practice of the *Primitive Church*: We do ordain, and appoint, that hereafter no Biſhop ſhall make any perſon, of what qualities ſoever, a Deacon, and a Miniſter both together upon one day: but that the order in that behalf preſcribed in the Book of making, and conſecrating Biſhops, Prieſts, and Deacons, be ſtrictly obſerved. Not that always every Deacon ſhould be kept from the Miniſtery for a whole year, when the Biſhop ſhall find good cauſe to the contrary: but that there being now four times appointed in every year for the ordination of Deacons, and Miniſters, there may ever be ſome time of triall for their behaviour in the office of Deacon, before they be admitted to the order of Prieſthood.

XXXIII.

The Titles of ſuch as are to be made Miniſters.

IT hath been long ſince provided by many decrees of antient Fathers, That none ſhould be admitted either Deacon or Prieſt, who had not firſt ſome certain place where he might

might uſe his Function. According to which examples we do ordain, that henceforth no perſon ſhall be admitted into ſacred Orders, except he ſhall at that time exhibit to the Biſhop, of whom he deſireth Impoſition of hands, a preſentation of himſelf to ſome Eccleſiaſtical preferment then void in that Dioceſs, or ſhall bring to the ſaid Biſhop a true, and undoubted certificate, that either he is provided of ſome Church within the ſaid Dioceſs, where he may attend the cure of ſouls, or of ſome Miniſters place vacant, either in the Cathedral Church of that Dioceſs, or in ſome other Collegiate Church therein alſo ſituate, where he may execute his Miniſtery: or that he is a Fellow, or in right as a Fellow, or to be a Conduct or Chaplain in ſome College in *Cambridge*, or *Oxford*: except he be a Maſter of Arts of five years ſtanding, that liveth of his own charge in either of the Univerſities; or except by the Biſhop himſelf, that doth ordain him Miniſter, to be ſhortly after to be admitted either to ſome Benefice or Curate-ſhip then void. And if any Biſhop ſhall admit any perſon into the Miniſtery that hath none of theſe titles as is aforeſaid, then he ſhall keep and maintain him with all things neceſſary, till he do prefer him to ſome Eccleſiaſtical living. And if the ſaid Biſhop ſhall refuſe ſo to do, he ſhall be ſuſpended by the Archbiſhop, being aſſiſted with another Biſhop, from giving of Orders by the ſpace of a year.

XXXIV.

The quality of ſuch as are to be made Miniſters.

NO Biſhop ſhall henceforth admit any perſon into ſacred Orders, which is not of his own Dioceſs, except he be either of one of the Univerſities of this Realm, or except he ſhall bring letters Dimiſſory (ſo tearmed) from the Biſhop of whoſe Dioceſs he is, and deſiring to be a Deacon, is three and twenty years old, and to be a Prieſt four and twenty years compleat, and hath taken ſome degree in School in either of the ſaid Univerſities, or at the leaſt, except he be able to yield an account of his faith in Latin, according to the Articles of Religion approved in the Synod of the Biſhops, and Clergy of this Realm 1562, and to confirm the ſame by ſufficient teſtimonies out of the holy Scriptures; and except moreover, he ſhall then exhibit letters Teſtimonial of his good life, and converſation under the Seal of ſome Colledge in *Cambridge* or *Oxford*, where before he remained, or of three or four grave Miniſters together with the ſubſcription, and teſtimony of other credible perſons, who have known his life, and behaviour by the ſpace of three years next before.

XXXV.

The examination of ſuch as are to be made Miniſters.

THe Biſhop, before he admit any perſon to holy Orders, ſhall diligently examine him in the preſence of thoſe Miniſters that ſhall aſſiſt him at the Impoſition of hands. And if the ſaid Biſhop have any lawful impediment, he ſhall

cauſe the ſaid Miniſters carefully to examine every ſuch perſon ſo to be ordered. Provided that they who ſhall aſſiſt the Biſhop in examining, and laying on of hands, ſhall be of his Cathedral Church, if they may conveniently be had, or other ſufficient Preachers of the ſame Dioceſs, to the number of three at the leaſt. And if any Biſhop or Suffragan ſhall admit any to ſacred Orders who is not ſo qualified, and examined as before we have ordained, the Archbiſhop of this Province having notice thereof, and being aſſiſted therein by one Biſhop, ſhall ſuſpend the ſaid Biſhop, or Suffragan, ſo offending, from making either Deacons or Prieſts for the ſpace of two years.

XXXVI.

Subſcription required of ſuch as are to be made Miniſters.

NO perſon ſhall hereafter be received into the Miniſtry nor either by Inſtitution or Collation admitted to any Eccleſiaſtical living, nor ſuffered to Preach, to Catechize, or to be a Lecturer, or Reader of Divinity in either Univerſitie, or in any Cathedral or Collegiat Church, City or Market Town, Pariſh Church, Chapel, or in any other place within this Realm, except he be licenſed either by the Archbiſhop, or by the Biſhop of the Dioceſs, (where he is to be placed) under their hands, and Seals, or by one of the two Univerſities under their Seal likewiſe, and except he ſhall firſt ſubſcribe to theſe three Articles following, in ſuch manner and ſort as we have here appointed.

1. That

1. That the King's Majeſty under God, is the onely Supreme Governour of this Realm, and of all other his Highneſs Dominions, and Countries, aſwell in all ſpiritual or Eccleſiaſtical things or cauſes, as Temporal: and that no forein Prince, Perſon, Prelate, State, or Potentate, have or ought to have any Juriſdiction, Power, Superiority, Preeminence, or Authority Eccleſiaſtical or ſpiritual; within his Majeſties ſaid Realms, Dominions, and Countries.

2. That the Book of Common-Prayer, and of ordering of Biſhops, Prieſts, and Deacons, containeth in it nothing contrary to the Word of God, and that it may lawfully be uſed, and that he himſelf will uſe the form in the ſame book preſcribed in publick Prayer, and Adminiſtration of the Sacraments, and none other.

3. That he alloweth the book of Articles of Religion agreed upon by the Archbiſhops, and Biſhops of both Provinces, and the whole Clergy in the Convocation holden at *London* in the year of our Lord God, one thouſand five hundred ſixty and two: and that he acknowledgeth all and every the Articles therein contained, being in number nine and thirty, beſides the ratification, to be agreeable to the Word of God.

To theſe three Articles whoſoever will ſubſcribe, he ſhall for the avoiding of all ambiguities ſubſcribe in this order, and form of words, ſetting down both his Chriſten, and Surname, *viz. I N.N. do willingly, and* ex animo, *ſubſcribe to theſe*

three Articles above mentioned, and to all things that are contained in them. And if any Bishop ſhall ordain, admit, or licenſe any as is aforeſaid, except he firſt have ſubſcribed, in manner, and form, as here we have appointed, he ſhall be ſuſpended for giving of Orders, and Licences to preach for the ſpace of twelve moneths. But if either of the Univerſities ſhall offend therein, we leave them to the danger of the Law, and his Majeſties Cenſure.

XXXVII.

Subſcription before the Dioceſan.

NOne licenſed, as is aforeſaid, to preach, read, Lecture, or Catechize, comming to reſide in any Dioceſs, ſhall be permitted there to Preach, Read, Lecture, Catechize, or miniſter the Sacrament, or to execute any other Eccleſiaſtical Function (by what authority ſoever he be thereunto admitted) unleſs he firſt conſent, and ſubſcribe to the three Articles before mentioned, in the preſence of the Bishop of the Dioceſs wherein he is to Preach, Read, Lecture, Catechize or adminiſter the Sacraments, as aforeſaid.

XXXVIII.

Revolters after Subſcription cenſured.

IF any Miniſter, after he hath once ſubſcribed to the ſaid three Articles, ſhall omit to uſe the form of Prayer, or any of the Orders or Ceremonies preſcribed in the Communion-book, let him be ſuſpended: and if after a month he do not reform, and ſubmit himſelf, let him be excommu-

excommunicated: and then if he ſhall not ſubmit himſelf within the ſpace of another month, let him be depoſed from the Miniſtry.

XXXIX.

Cautions for Inſtitution of Miniſters into Benefices.

NO Bishop ſhall inſtitute any to a Benefice, who hath been ordained by any other Bishop, except he firſt ſhew unto him his Letters of Orders, and bring him a ſufficient teſtimony of his former good life, and behaviour, if the Bishop ſhall require it: and laſtly ſhall appear upon the due examination, to be worthy of his Miniſtry.

XL.

An Oath againſt Symony at Inſtitution into Benefices.

TO avoid the deteſtable ſinne of Symonie, becauſe buying, and ſelling of Spiritual, and Eccleſiaſtical Functions, Offices, Promotions, Dignities, and Livings, is execrable before GOD, therefore the Archbishop, and all, and every Bishop or Bishops, or any other perſon or perſons, having authority to Admit, Inſtitute, Collate, Inſtall, or to confirm the Election of any Archbishop, Bishop, or other Perſon or Perſons, to any Spiritual or Eccleſiaſtical Function, Dignity, Promotion, Title, Office, Juriſdiction, Place, or Benefice with Cure or without Cure, or to any Eccleſiaſtical Living whatſoever, ſhall before every ſuch Admiſſion, Inſtitution, Collation

lation, Inſtallation or Confirmation of Election, reſpectively miniſter to every perſon hereafter to be Admitted, Inſtituted, Collated, Inſtalled, or confirmed in or to any Archbiſhoprick, Biſhoprick or other Spiritual or Eccleſiaſtical Function Dignity, Promotion, Title, Office, Juriſdiction, Place, or Benefice with Cure or without Cure; or in any Eccleſiaſtical living whatſoever, this Oath in manner, and form, following, the ſame to be taken by every one whom it concerneth, in his own perſon, and not by a Proctor: *I N.N. do ſwear, that I have made no Symonical payment, contract or promiſe, directly or indirectly, by my ſelf or by any other to my knowledge, or with my conſent, to any perſon or perſons whatſoever, for or concerning the procuring, & obtaining of this Eccleſiaſtical Dignity, Place, Preferment, Office, or Living,* (reſpectively, and particularly naming the ſame whereunto he is to be Admitted, Inſtituted, Collated, Inſtalled, or Confirmed) *nor will at any time hereafter perform or ſatisfie any ſuch kind of payment, contract or promiſe, made by any other without my knowledge or conſent: So help me God, through Jeſus Chriſt.*

XLI.

Licences for Plurality of Benefices limited, and Reſidence enjoyned.

NO Licence or diſpenſation for the keeping of more Benefices with Cure than one, ſhall be granted to any, but ſuch only as ſhall be thought very well worthy of his learning, and very well able, and ſufficient to diſcharge his duty, that is, who ſhall have taken the degree of a Maſter of Arts at the leaſt in

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one of the Univerſities of this Realm, and be a publick, and ſufficient Preacher licenſed. Provided alwaies that he be by a good, and ſufficient caution bound to make his perſonall Reſidence in each his ſaid Benefices, for ſome reaſonable time in every year; and that the ſaid Benefices be not more than thirty miles diſtant aſunder: and laſtly, that he have under him in the Benefice where he doth not reſide, a Preacher lawfully allowed, that is able ſufficiently to teach and inſtruct the people.

XLII

Reſidence of Deans in their Churches.

EVery Dean, Maſter, or Warden, or chief Governor of any Cathedral or Collegiat Church, ſhall be reſident in his ſaid Cathedral or Collegiat Church fourſcore and ten days *Conjunctim* or *Diviſim* in every year at the leaſt, and then ſhall continue there in preaching the Word of God, and keeping good hoſpitality, except he ſhall be otherwiſe let with weighty, and urgent cauſes to be approved by the Biſhop of the Dioceſs, or in any other lawful ſort diſpenſed with. And when he is preſent, he, with the reſt of the Canons or Prebendaries reſident, ſhall take ſpecial care, that the Statutes, and laudable cuſtoms of their Church, (not being contrary to the Word of God, or prerogative Royal) the ſtatutes of this Realm being in force concerning Eccleſiaſtical Orders, and all other Conſtitutions now ſet forth, and confirmed by his Majeſties Authority, and ſuch as ſhall be lawfully enjoyned by the

Biſhop

Biſhop of the Dioceſs in his Viſitation according to the Statutes, and cuſtoms of the ſame Church, or the Eccleſiaſtical Laws of this Realm, be diligently obſerved, and that the Pety Canons, Vicars choral, and other Miniſters of their Church, be urged to the ſtudy of the holy Scriptures: and every one of them to have the New Teſtament not onely in Engliſh, but alſo in Latin.

XLIII.

Deans, Prebendaries to preach during their Reſidence.

THe Dean, Maſter, Warden, or chief Governour, Prebendaries, and Canons in every Cathedral, and Collegiat Church, ſhall not onely preach there in their own perſons ſo often as they are bound by Law, Statute, Ordinances, or Cuſtom; but ſhall likewiſe preach in other Churches of the ſame Dioceſs where they are reſident, and eſpecially in thoſe places whence they or their Church receive any yearly rents or profits: And in caſe they themſelvs be ſick, or lawfully abſent, they ſhall ſubſtitute ſuch licenced Preachers to ſupply their turns, as by the Biſhop of the Dioceſs ſhall be thought meet to preach in Cathedral Churches. And if any otherwiſe neglect or omit to ſupply his courſe, as is aforeſaid the offender ſhall be puniſhed by the Biſhop, or by him or them to whom the Juriſdiction of that Church appertaineth, according to the quality of the offence.

Prebendaries

XLIV.

Prebendaries to be Reſident upon their Benefices.

NO Prebendaries nor Canons, in Cathedral or Collegiat Churches, having one or more Benefices with Cure (and not being Reſidentiaries in the ſame Cathedral or Collegiat Churches) shall, under colour of the ſaid Prebends, abſent themſelvs from their Benefices with Cure, above the ſpace of one whole month in the year, unleſs it be for ſome urgent cauſe, and certain time, to be allowed by the Biſhop of the Dioceſs. And ſuch of the ſaid Canons, and Prebendaries, as by the Ordinances of the ſaid Cathedral or Collegiat Churches do ſtand bound to be reſident in the ſame, shall ſo among themſelves ſort, and proportion the times of the year, concerning reſidence to be kept in the ſaid Churches, as that ſome of them alwaies shall be perſonally reſident there: and that all thoſe who be, or shall be, Reſidentiaries in any Cathedral or Collegiat Churches, shall, after the days of their Reſidency appointed by their locall Statutes and Cuſtoms expir'd, preſently repair to their Benefices, or ſome one of them, or to ſome other charge where the Law requireth their preſence, there to diſcharge their duties according to the Laws in that caſe provided. And the Biſhop of the Dioceſs shall ſee the ſame to be duly performed, and put in execution.

XLV.

Beneficed Preachers, being reſident upon their Livings, to preach every Sunday.

EVery Beneficed man allowed to be a Preacher, and reſiding on his Benefice, having no lawful impediment, ſhall in his own Cure, or in ſome other Church or Chapel, where he may conveniently neer adjoining (where no Preacher is) preach one Sermon every Sunday of the year, wherein he ſhall ſoberly, and ſincerely divide the Word of truth to the glory of God, and to the beſt edification of the people.

XLVI.

Beneficed men, not Preachers, to procure monthly Sermons.

EVery beneficed man not allowed to be a Preacher, ſhall procure Sermons to be preached in his Cure once in every month, at the leaſt, by Preachers lawfully licenſed, if his Living in the judgment of the Ordinary, wil be able to bear it. And upon every Sunday when there ſhall not be a Sermon preached in his Cure, he or his Curate ſhall read ſome one of the Homilies preſcribed, or to be preſcribed by authority, to the intents aforeſaid.

XLVII.

Abſence of Beneficed men to be ſupplyed by Curats that are allowed Preachers.

EVery Beneficed man, licenſed by the Laws of this Realm, upon urgent occaſions of other ſervice not to reſide upon

on his Benefice, ſhall cauſe his Cure to be ſupplied by a Curate that is a ſufficient, and licenſed Preacher, if the worth of the Benefice will bear it. But whoſoever hath two Benefices, ſhall maintain a Preacher licenſed, in the Benefice where he doth not reſide, except he Preach himſelf at both of them uſually.

XLVIII.

None to be Curats but allowed by the Biſhop.

NO Curat or Miniſter ſhall be permitted to ſerve in any place, without Examination, and admiſſion of the Biſhop of the Dioceſs, or Ordinary of that place, having Epiſcopal Juriſdiction, in writing under his hand and ſeal, having reſpect to the greatneſs of the Cure, and meetneſs of the party. And the ſaid Curats, and Miniſters, if they remove from one Dioceſs to another, ſhall not be by any means admitted to ſerve without teſtimony of the Biſhop of the Dioceſs, or Ordinary of the place, as aforeſaid, whence they came, in writing, of their honeſty, ability, and conformity to the Eccleſiaſtical Laws of the Church of *England*. Nor any ſhall ſerve more then one Church or Chapel upon one day, except that Chapel be a member of the Pariſh Church, or united thereunto: and unleſs the ſaid Church or Chapel where ſuch a Miniſter ſhall ſerve in two places, be not able in the judgment of the Bishop or Ordinary, as aforeſaid, to maintain a Curat.

XLIX.

Ministers not allowed preachers, may not expound.

NO person whatsoever, not examined and approved by the Bishop of the Diocess, or not licensed, as is aforesaid, for a sufficient or convenient Preacher, shall take upon him to expound in his own Cure, or elsewhere, any Scripture, or matter, or doctrine, but shall onely study to read plainly, and aptly (without glozing or adding) the *Homilies* already set forth, or hereafter to be published by lawful Authority, for the confirmation of the true Faith, and for the good instruction, and edification of the people.

L.

Strangers not admitted to preach without shewing their Licence.

NEither the Minister, Church-wardens, nor any other officers of the Church, shall suffer any man to preach within their Churches or Chapels, but such as by shewing their Licence to preach, shall appear unto them to be sufficiently authorized thereunto, as is aforesaid.

LI.

Strangers not admitted to preach in Cathedral Churches without sufficient authority.

THe Deans, Presidents, and Residentiaries of any Cathedral or Collegiat Church, shall suffer no stranger to preach unto the people in their Churches, except they be allowed by the Arch-Bishop of the Province, or by the Bishop of the same Diocess, or by either of the Universities.

And

And if any in his Sermon ſhall publiſh any doctrine, either ſtrange or diſagreeing from the Word of God, or from any of the Articles of Religion agreed upon in the Convocation houſe, *Anno* 1562. or from the book of Common-Prayer, the Dean or the Reſidents ſhall by their Letters ſubſcribed with ſome of their hands that heard him, ſo ſoon as may be, give notice of the ſame to the Biſhop of the Dioceſs, that he may determine the matter, and take ſuch order therein as he ſhall think convenient.

LII.

The names of ſtrange Preachers to be noted in a book.

THat the Biſhop may underſtand (if occaſion ſo require) what Sermons are made in every Church of his Dioceſs, and who preſume to preach without licence, the Churchwardens, and Side-men ſhall ſee that the names of all preachers which come to their Church from any other place, be noted in a book, which they ſhall have ready for that purpoſe: wherein every preacher ſhall ſubſcribe his name, the day when he preached, and the name of the Biſhop of whom he had licence to preach.

LIII.

No publick oppoſition between Preachers.

IF any Preacher ſhall in the Pulpit particularly, or namely of purpoſe, impugn or confute any doctrine delivered by any other Preacher in the ſame Church, or in any Church neer adjoyning, before he hath acquainted the Biſhop of the

the Dioceſs therewith, and recieved order from him what to do in that caſe, becauſe upon ſuch publick diſſenting, and contradicting, there may grow ſuch offence, and diſquietneſs unto the people: the Church-wardens or party grieved shall forthwith ſignifie the ſame to the ſaid Biſhop, and not to ſuffer the ſaid Preacher any more to occupy that place which he hath once abuſed, except he faithfully promiſe to forbear all ſuch matter of contention in the Church, untill the Biſhop hath taken further order therein, who shall with all convenient ſpeed ſo proceed therein, that publick ſatisfaction may be made in the congregation where the offence was given. Provided, that if either of the parties offending do appeal, he shall not be ſuffered *pendente lite*.

LIV.

The Licenſes of Preachers refuſing Conformity, to be void.

IF any man licenſed heretofore to preach, by any Archbiſhop, Biſhop, or by either of the Univerſities, shall at any time from henceforth refuſe to conform himſelf to the Laws, Ordinances, and Rites Eccleſiaſtical, eſtabliſhed in the Church of *England*, he shall be admoniſhed by the Biſhop of the Dioceſs, or Ordinary of the place, to ſubmit himſelf to the uſe, and due exerciſe of the ſame. And if after ſuch admonition, he do not conform himſelf, within the ſpace of one month, We determine, and decree, that the Licenſe of every ſuch Preacher shall thereupon be utterly void, and of none effect.

LV.

The form of a Prayer to be uſed by Preachers before their Sermon.

BEfore all Sermons, Lectures, and Homilies, Preachers, and Miniſters ſhall move the people to joyn with them in prayer in this form, or to this effect, as briefly as conveniently they may. Ye ſhall pray for Chriſt's holy Catholick Church, that is, for the whole Congregation of Chriſtian people diſperſed throughout the whole world, and eſpecially for the Churches of *England*, *Scotland*, and *Ireland*. And herein I require you moſt eſpecially to pray for the Kings moſt excellent Majeſty our Sovereign Lord *CHARLES*, King of *England*, *Scotland*, *France*, and *Ireland*, Defender of the faith, and Supreme Governour in theſe his Realms, and all other his Dominions, and Countrys, over all perſons, in all cauſes aſwell Eccleſiaſtical as temporal. Ye ſhall alſo pray for our gracious Queen ~~*KATHERINE*~~, ~~[illegible]~~, ~~the Illuſtrious Prince *JAMES* Duke of *York*~~, and all the Royal Family. Ye ſhall alſo pray for the Miniſters of Gods holy Word, and Sacraments, aſwell Archbiſhops, and Biſhops, as other Paſtors, and Curats. Ye ſhall alſo pray for the Kings moſt honourable Counſel, and for all the Nobility, and Magiſtrates of this Realm, that all, and every of theſe in their ſeveral callings, may ſerve truely, and painfully to the glory of God, and the edifying, and well governing of his people, remembring the account that they muſt make. Alſo ye ſhall pray for the whole Commons of this Realm, that they may live in true faith, and fear of God,

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in humble obedience to the King, and brotherly charity one to another. Finally, let us praiſe God for all thoſe which are departed out of this life in the faith of Chriſt, and pray unto God that we may have grace to direct our lives after their good example: that this life ended, we may be made partakers with them of the glorious Reſurrection in the life everlaſting. Always concluding with the Lords Prayer.

LVI.

Preachers, and Lecturers to read Divine Service, and adminiſter the Sacrament twice a year at the leaſt.

EVery Miniſter being poſſeſſed of a Benefice that hath cure, and charge of ſouls, although he chiefly attend to preaching, and hath a Curat under him to execute the other duties which are to be performed for him in the Church, and likewiſe every other ſtipendary Preacher that readeth any Lecture, or Catechizeth, or preacheth in any Church or Chapel, ſhall twice at the leaſt every year read himſelf the Divine Service, upon two ſeveral Sundays publickly, and at the uſual times, both in the forenoon and afternoon, in the Church which he ſo poſſeſſeth, or where he Readeth, Catechizeth, or Preacheth, as is aforeſaid, and ſhall likewiſe as often in every year adminiſter the Sacraments of Baptiſm (if there be any to be baptized) and of the Lords Supper, in ſuch manner, and form, and with the obſervation of all ſuch rites and ceremonies as are preſcribed in the Book of Common-Prayer in that behalf: which if he do not accordingly perform

form, then ſhall he that is poſſeſſed of a Benefice (as before) be ſuſpended: and he that is but a Reader, Preacher, or Catechizer, be removed from his place by the Biſhop of the Dioceſs, until he or they ſhall ſubmit themſelvs to perform all the ſaid duties, in ſuch manner, & ſort as before is preſcribed.

LVII.

The Sacraments not to be refuſed at the hands of unpreaching Miniſters.

WHereas divers perſons ſeduced by falſe teachers, do refuſe to have their children baptized by a Miniſter that is no preacher, and to receive the holy Communion at his hands in the ſame reſpect, as though the vertue of thoſe Sacraments did depend upon his ability to preach: Foraſmuch as the doctrine both of Baptiſm, and of the Lords Supper is ſufficiently ſet down in the Book of Common prayer to be uſed at the adminiſtration of the Sacraments, as nothing can be added unto it that is material, and neceſſary: We do require, and charge every ſuch perſon ſeduced as aforeſaid, to reform that their wilfulneſs, and to ſubmit himſelf to the order of the Church in that behalf, both the ſaid Sacraments being equally effectual, whether they be miniſtred by a Miniſter that is no preacher, or by one that is a preacher. And if any hereafter ſhall offend herein, or leave their own Pariſh Churches in that reſpect, and communicate or cauſe their children to be baptized in other Pariſhes abroad, and will not be moved thereby to reform that their error, and un-

lawful courſe: let them be preſented to the Ordinary of the place by the Miniſter, Church-wardens, and Side-men or Queſt-men of the Pariſhes where they dwell, and there receive ſuch puniſhment by Eccleſiaſtical cenſures, as ſuch obſtinacy doth worthily deſerve: that is, Let them (perſiſting in their wilfulneſs) be ſuſpended, and then after a months further obſtinancy, Excommunicated. And likewiſe if any Parſon, Vicar, or Curat, ſhall after the publiſhing hereof, either receive to the Communion any ſuch perſons which are not of his own Church, and Pariſh, or ſhall baptize any of their children, thereby ſtrengthning them in their ſaid errors: Let him be ſuſpended, & not be releaſed thereof, until he do faithfully promiſe, that he will not afterwards offend therein.

LVIII.

Miniſters reading Divine Service, and adminiſtring the Sacraments, to wear Surplices, and Graduats, therewithall Hoods.

EVery Miniſter ſaying the publick prayers, or miniſtring the Sacraments or other Rites of the Church, ſhall wear a decent, & comely Surplice with ſleeves, to be provided at the charge of the Pariſh. And if any queſtion ariſe touching the matter, decency, or comelineſs thereof, the ſame ſhall be decided by the diſcretion of the Ordinary. Furthermore ſuch Miniſters as are Graduats, ſhall wear upon their Surplices at ſuch time, ſuch Hoods as by the orders of the Univerſities are agreeable to their degrees, which no Miniſter ſhall wear (being no Graduat) under pain of ſuſpenſion. Notwithſtanding

ſtanding it shall be lawful for ſuch Miniſters as are not Graduates, to wear upon their Surplices, inſtead of Hoods, ſome decent Tippet of black, ſo it be not Silk.

LIX.

Miniſters to Catechize every Sunday.

EVery Parſon, Vicar, or Curat, upon every Sunday, and Holy-day before Evening Prayer, shall, for half an hour or more, examine, and inſtruct the youth, and ignorant perſons of his Pariſh in the ten Commandements, the Articles of the Belief, and in the Lords Prayer: and shall diligently hear, inſtruct, and teach them the Catechiſm ſet forth in the Book of Common Prayer. And all Fathers, Mothers, Maſters and Miſtreſſes, shall cauſe their Children, Servants, and Apprentices which have not learned the Catechiſm, to come to the Church at the time appointed, obediently to hear, and to be ordered by the Miniſter, until they have learned the ſame. And if any Miniſter neglect his duty herein, let him be ſharply reproved upon the firſt complaint, and true notice thereof given to the Biſhop or Ordinary of the place. If after ſubmitting himſelf, he shall wilfully offend therein again, let him be ſuſpended. If ſo the third time, there being little hope that he will be therein reformed, then excommunicated, and ſo remain until he will be reformed. And likewiſe if any of the ſaid Fathers, Mothers, Maſters, or Miſtreſſes, Children, Servants or Apprentices, shall neglect their duties, as the one ſort, in not cauſing them to come, and the other, in refu-

ſing to learn, as aforeſaid, Let them be ſuſpended by the Ordinaries, (if they be not children) and if they ſo perſiſt by the ſpace of a month, then let them be Excommunicated.

LX

Confirmation to be performed once in three years.

FOraſmuch as it hath been a ſolemn, antient, and laudable cuſtom in the Church of God, continued from the Apoſtles time, that all Biſhops ſhould lay their hands upon children baptized, and inſtructed in the Catechiſm of Chriſtian Religion, praying over them, and bleſſing them: which we commonly call *Confirmation*: and that this holy action hath been accuſtomed in the Church in former ages, to be performed in the Biſhops Viſitation, every third year: We will and appoint, that every Biſhop, or the Suffragan in his accuſtomed Viſitation, do in his own perſon carefully obſerve the ſaid cuſtom. And if in that year, by reaſon of ſome infirmity, he be not able perſonally to viſit, then he ſhall not omit the execution of that duty of *Confirmation* the next year after, as he may conveniently.

LXI.

Miniſters to prepare children for Confirmation.

EVery miniſter that hath Cure, and charge of ſouls, for the better accompliſhing of the Orders, preſcribed in the book of Common prayer concerning *Confirmation*, ſhall take ſuch eſpeciall care as that none may be preſented to the Biſhop for him to lay his hand upon, but ſuch as can render

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an account of their faith according to the Catechiſm in the ſaid Book contained. And when the Biſhop ſhall aſſign any time for the performance of that part of his duty, every ſuch Miniſter ſhall uſe his beſt endeavour to prepare, and make able, and likewiſe to procure as many as he can to be then brought, and by the Biſhop to be confirmed.

LXII.

Miniſters, not to marry any perſons without Banes or Licence.

NO Miniſter upon pain of ſuſpenſion *per triennium ipſo facto*, ſhall celebrate Matrimony between any perſons, without a Faculty or Licence granted by ſome of the Perſons in theſe our conſtitutions expreſſed, except the Banes of Matrimony have been firſt publiſhed three ſeveral Sundays or Holy-days in the time of Divine ſervice in the Pariſh Churches or Chapels where the ſaid parties dwell, according to the book of Common Prayer. Neither ſhall any Miniſter, upon the like pain, under any pretence whatſoever, joyn any Perſons ſo licenſed in Marriage at any unſeaſonable times, but onely between the hours of eight and twelve in the forenoon, nor in any private place, but either in the ſaid Churches or Chapels where one of them dwelleth, and likewiſe in time of Divine Service: nor when Banes are thrice asked (and no Licence in that reſpect neceſſary) before the Parents or Governors of the parties to be married being under the age of twenty and one years, ſhall either perſonally, or by ſufficient teſtimony, ſignify to him their conſents given to the ſaid marriage.

Miniſters

LXIII.

Miniſters of exempt Churches, not to Marry without Banes or Licenſe.

EVery Miniſter who ſhall hereafter celebrate Marriage betwixt any perſons contrary to our ſaid Conſtitutions, or any part of them, under colour of any peculiar Liberty or Priviledge claimed to appertain to certain Churches, and Chapels, ſhall be ſuſpended, *per triennium*, by the Ordinary of the place where the offence ſhall be committed. And if any ſuch Miniſter ſhall afterwards remove from the place where he hath committed that fault, before he be ſuſpended, as is aforeſaid, then ſhall the Biſhop of the Dioceſs, or Ordinary of the place where he remaineth, upon certificate under the hand and ſeal of the other Ordinary, from whoſe juriſdiction he removed, execute that cenſure upon him.

LXIV.

Miniſters ſolemnly to bid Holy-days.

EVery Parſon, Vicar, or Curat, ſhall in his ſeveral charge declare to the people every Sunday at the time appointed in the Communion Book, whether there be any Holy-days or Faſting-days the week following. And if any do hereafter wittingly offend herein, and being once admoniſhed thereof by his Ordinary, ſhall again omit that duty; let him be cenſured according to Law, untill he ſubmit himſelf to the due performance of it.

Miniſters

LXV.

Miniſters ſolemnly to denounce Recuſants, and Excommunicants.

ALl Ordinaries shall in their ſeveral Juriſdictions carefully ſee, and give order, that aſwell thoſe who for obſtinate refuſing to frequent Divine Service eſtabliſhed by publick authority within this Realm of *England*, as thoſe alſo (eſpecially of the better ſort, and condition) who for notorious contumacy, or other notable crimes, ſtand lawfully excommunicate (unleſs within three months immediatly after the ſaid ſentence of Excommunication pronounced againſt them, they ~~reſolve~~ reform themſelves, and obtain the benefit of Abſolution) be every ſix months enſuing, aſwell in the Pariſh Church, as in the Cathedral Church of the Dioceſs in which they remain, by the Miniſter openly in time of Divine Service upon ſome Sunday, denounced, and declared Excommunicate, that others may be thereby both admoniſhed to refrain their company, and ſociety, and excited the rather to procure out a Writ *De Excommunicato capiendo*, thereby to bring, & reduce them into due order & obedience. Likewiſe the Regiſter of every Eccleſiaſtical Court, ſhall yearly between *Michaelmas*, and *Chriſtmas*, duly certify the Archbiſhop of the Province, of all, and ſingular the premiſes aforeſaid.

LXVI.

Miniſters to conferr with Recuſants.

EVery Miniſter being a Preacher, and having any Popiſh Recuſant or Recuſants in his Pariſh, and thought fit by the

the Biſhop of the Dioceſs, ſhall labour diligently with them from time to time, thereby to reclaim them from their errors. And if he be no Preacher, or not ſuch a Preacher, then he ſhall procure, if he can poſſibly, ſome that are Preachers ſo qualified, to take pains with them for that purpoſe. If he can procure none, then he ſhall inform the Biſhop of the Dioceſs thereof, who ſhall not onely appoint ſome neighbor Preacher or Preachers adjoyning, to take that labour upon them, but himſelf alſo (as his important affairs will permit him) ſhall uſe his beſt endeavour by inſtruction, perſuaſion and all good means he can deviſe, to reclaim both them, and all other within his Dioceſs ſo affected.

LXVII.

Miniſters to viſit the ſick.

WHen any perſon is dangerouſly ſick in any Pariſh, the Miniſter or Curat (having knowledge thereof) ſhall reſort unto him or her, (if the diſeaſe be not known or probably ſuſpected to be infectious) to inſtruct, and comfort them in their diſtreſs, according to the order of the Communion book, if he be no Preacher: or if he be a Preacher, then as he ſhall think moſt needful, and convenient. And when any is paſſing out of this life, a Bell ſhall be tolled, and the Miniſter ſhall not then ſlack to do his laſt duty. And after the parties death (if it ſo fall out) there ſhall be rung no more but one ſhort peal, and one other before the burial, and one other after the buriall,

Miniſters

LXVIII.

Miniſters not to refuſe to Chriſten or Bury.

NO Miniſter ſhall refuſe or delay to chriſten any Child according to the form of the Book of Common Prayer, that is brought to the Church to him upon Sundayes or Holy-dayes to be chriſtened, or to bury any corps that is brought to the Church or Church-yard (convenient warning being given him thereof before) in ſuch manner, and form as is preſcribed in the ſaid book of Common Prayer. And if he ſhall refuſe to Chriſten the one, or bury the other, except the party deceaſed were denounced excommunicated *Majori excommunicatione*, for ſome grievous, and notorious crime, (and no man able to teſtify of his repentance) he ſhall be ſuſpended by the Biſhop of the Dioceſs from his Miniſtery by the ſpace of three months.

LXIX.

Miniſters not to deferr Chriſtning, if the child be in danger.

IF any Miniſter being duly, without any manner of colluſion informed of the weakneſs, and danger of death, of any Infant unbaptized in his Pariſh, and thereupon deſired to go or come to the place where the ſaid Infant remaineth, to baptize the ſame, ſhall either wilfully refuſe to do, or of purpoſe, or of groſs negligence, ſhall ſo deferr the time, as when he might conveniently have reſorted to the place, and have baptized the ſaid Infant, it dieth through ſuch his default unbaptized: the ſaid Miniſter ſhall be ſuſpended for

three months, and before his reſtitution ſhall acknowledge his fault, and promiſe before his Ordinary, that he will not wittingly incur the like again. Provided that where there is a Curat or a Subſtitute, this Conſtitution ſhall not extend to the Parſon or Vicar himſelf, but the Curat or Subſtitute preſent.

LXX.

Miniſters to keep a Regiſter of Chriſtnings, Weddings, and Burials.

IN every Pariſh Church, and Chapel, within this Realm, ſhall be provided one parchment Book at the charge of the Pariſh, wherein ſhall be written the day and year of every Chriſtning, Wedding, and Burial, which have been in the Pariſh ſince the time that the Law was firſt made in that behalf, ſo far as the antient Book thereof can be procured, but eſpecially ſince the beginning of the Reign of the late Queen. And for the ſafe keeping of the ſaid Book, the Church wardens at the charge of the Pariſh, ſhall provide one ſure Coffer with three Locks, and Keys, whereof the one to remain with the Miniſter, and the other two with the Church-wardens ſeveral, ſo that neither the Miniſter without the two Church-wardens, nor the Church-wardens without the Miniſter, ſhall at any time take that Book out of the ſaid Coffer: And henceforth upon every † Sabbath-day, immediately after Morning or Evening Prayer, the Miniſter, and Church-wardens ſhall take the ſaid Parchment-Book out of the ſaid Coffer, and the Miniſter in the preſence of the Church-wardens

† *Singulis diebus Dominicis.*

dens ſhall write, and record in the ſaid Book, the names of all Perſons Chriſtned, together with the names, & ſurnames of their Parents, and alſo the names of all perſons married, and buried in that Pariſh, in the week before, and the day, and the year of every ſuch Chriſtning, Marriage, and Buriall: And that done, they ſhall lay up that Book, in the Coffer as before: and the Miniſter, and Church-wardens unto every page of that Book, when it ſhall be filled with ſuch Inſcriptions, ſhall ſubſcribe their names. And the Church-wardens ſhall once every year, within one month after the 25 day of *March*, tranſmit unto the Biſhop of the Dioceſs, or his Chancellor, a true copy of the names of all Perſons Chriſtned, Married, or Buried in their Pariſh in the year before (ended the ſaid 25 day of *March*) and the certain days, and months in which every ſuch Chriſtning, Marriage, and Burial was had, to be ſubſcribed with the hands of the ſaid Miniſter, and Church-wardens, to the end, the ſame may faithfully be preſerved in the Regiſtery of the ſaid Biſhop, which Certificate ſhall be received without Fee. And if the Miniſter or Church-wardens ſhall be negligent in performance of any thing herein contained, it ſhall be lawfull for the Biſhop or his Chancellor to convent them, and proceed againſt every of them as contemners of this our Conſtitution.

LXXI.

Miniſters not to Preach or adminiſter the Communion in private houſes.

NO Miniſter ſhall Preach or adminiſter the holy Communion in any Private houſe, except it be in times of neceſſity, when any being either ſo impotent, as he cannot go to the Church, or very dangerouſly ſick, are deſirous to be partakers of that holy Sacrament, under pain of ſuſpenſion for the firſt offence, & Excommunication for the ſecond. Provided, that houſes are here reputed for private houſes, wherein are no Chapels dedicated, and allowed by the Eccleſiaſtical Laws of this Realm. And provided alſo under the pain before expreſſed, that no Chaplains do preach or adminiſter the Communion in any other places, but in the Chapels of the ſaid houſes, and that alſo they do the ſame very ſeldom upon Sundays, and Holy-days. So that both the Lords and Maſters of the ſaid houſes, and their families, ſhall at other times receive the holy Communion at the leaſt once every year.

LXXII.

Miniſters not to appoint publick or private Faſts, or prophecies, or to exerciſe, but by authority.

NO Miniſter or Miniſters, ſhall, without the Licence and direction of the Biſhop of the Dioceſs firſt obtained, and had under his hand, and Seal, appoint or keep any ſolemn Faſts, either publickly or in any private houſes, other than

than ſuch as by law are or by publick authority ſhall be appointed, nor ſhall be wittingly preſent at any of them, under pain of ſuſpenſion for the firſt fault, of Excommunication for the ſecond, and of depoſition from the Miniſtery for the third. Neither ſhall any Miniſter not licenſed, as is aforeſaid, preſume to appoint or hold any meetings for Sermons, commonly tearmed by ſome, Prophecies, or Exerciſes, in Market Towns or other places, under the ſaid pains: Nor without ſuch Licence to attempt, upon any pretence whatſoever, either of poſſeſſion or Obſeſſion, by faſting, and prayers to caſt out any Devil or Devils, under pain of imputation of Impoſture or cozenage, and depoſition from the Miniſtry.

LXXIII.

Miniſters not to hold private Conventicles.

FOraſmuch as all Conventicles, and ſecret meetings of Prieſts, and Miniſters, have been ever juſtly accounted very hurtful to the ſtate of the Church wherein they live; We do now ordain, and conſtitute, That no Prieſts or Miniſters of the Word of God, nor any other perſons, ſhall meet together in any private houſe or elſewhere to conſult upon any matter or courſe to be taken by them, or upon their motion or direction by any other, which may any way tend to the impeaching or depraving of the doctrine of the Church of *England*, or of the book of Common Prayer, or of any part of the government, and Diſcipline now eſtabliſhed in the Church of *England*, under pain of excommunication *ipſo facto*.

Decency

LXXIV.

Decency in apparell enjoyned to Miniſters.

THe true, antient, and flouriſhing Churches of Chriſt being ever deſirous that their Prelacy, and Clergy might be had as well in outward reverence, as otherwiſe regarded for the worthineſs of their Miniſtry, did think it fit by a preſcript form of decent, and comely Apparel, to have them known to the people, and thereby to receive the honour, and eſtimation due to the eſpecial Meſſengers, and Miniſters of Almighty God. We therefore following their grave judgment, and the antient Cuſtom of the Church of *England*, and hoping that in time new-fangleneſs of Apparel in ſome factious perſons will die of it ſelf, do conſtitute, and appoint, That the Arch-biſhops, and Biſhops ſhall not intermit to uſe the accuſtomed Apparel of their degrees. Likewiſe all Deans Maſters of Colleges, Arch-deacons, and Prebendaries in Cathedral or Collegiat Churches, (being Prieſts or Deacons) Doctors in Divinity, Law, and Phyſick, Bachellors in Divinity, Maſters of Arts, and Bachellors of Law, having any Eccleſiaſtical Living, ſhall uſually wear Gowns with ſtanding collars, and ſleeves ſtreight at the hands, or wide ſleeves, as is uſed in the Univerſities, with Hoods or Tippets of Silk or Sarcenet, and ſquare Caps. And that all other Miniſters, admitted or to be admitted into that Function, ſhall alſo uſually wear the like Apparel, as is aforeſaid, except Tippets onely. We do further in like manner ordain, that all the ſaid Eccleſiaſtical

Eccleſiaſtical perſons abovementioned, ſhall uſually wear in their journies, Cloakes with ſleeves, commonly called Prieſts-Cloakes, without guards, welts, long Buttons, or cuts. And no Eccleſiaſtical perſons ſhall wear any Coife, or wrought Night-cap, but onely plain Night caps of black Silk, Satten, or Velvet. In all which particulars concerning the Apparel here preſcribed, our meaning is not to attribute any holineſs, or ſpecial worthineſs to the ſaid garments, but for decency, gravity, and orders, as is before ſpecified. In private houſes, and in their Studies, the ſaid perſons Eccleſiaſtical may uſe any comely, and Scholar-like Apparel. Provided, that it be not cut or pinkt, and that in publick they go not in their Dublet, and Hoſe, without Coats or Caſſocks: and alſo that they wear not any light coloured Stockings. Likewiſe poor Beneficed men, and Curats, (not being able to provide themſelvs long Gowns) may go in ſhort Gowns, of the faſhion aforeſaid.

LXXV.

Sober converſation required in Miniſters.

NO Eccleſiaſtical perſons ſhall at any time, other than for their honeſt neceſſities, reſort to any Taverns or Ale-houſes, neither ſhall they board or lodge in any ſuch places. Furthermore, they ſhall not give themſelvs to any baſe or ſervile labour, or to drinking or riot, ſpending their time idlely by day or night, playing at Dice, Cards, or Tables, or any other unlawful game: but at all times convenient, they ſhall

hear

hear or read somewhat of the holy Scriptures, or shall occupy themselvs with some other honest study or exercise, alwaies doing the things which shall appertain to honesty, and endeavouring to profit the Church of God, having always in mind that they ought to excell all others in purity of life, and should be examples to the people to live well, and Christianly, under pain of Ecclesiastical censures to be inflicted with severity, according to the qualities of their offences.

LXXVI.

Ministers at no time to forsake their Calling.

NO man being admitted a Deacon or Minister, shall from thenceforth voluntarily relinquish the same, nor afterward use himself in the course of his life, as a Lay-man, upon pain of Excommunication. And the names of all such men so forsaking their calling, the Church-wardens of the Parish where they dwell, shall present to the Bishop of the Diocess, or to the Ordinary of the place, having Episcopal Jurisdiction.

Schole-Masters.

LXXVII.

None to teach Schole without Licence.

NO man shall teach either in publick Schole, or private house, but such as shall be allowed by the Bishop of the Diocess, or Ordinary of the place under his hand, and Seal, being found meet as well for his learning

learning, and dexterity in teaching, as for ſober and honeſt converſation, and alſo for right underſtanding of Gods true Religion, and alſo except he ſhall firſt ſubſcribe to the firſt p. 27. and third Articles afore mentioned ſimply, and to the two firſt clauſes of the ſecond Article.

LXXVIII.

Curats deſirous to teach, to be licenſed before others.

IN what Pariſh Church or Chapel ſoever there is a Curat which is a Maſter of Arts, or Bachelor of Arts, or is otherwiſe well able to teach youth, and will willingly ſo do, for the better encreaſe of his Living, and training up of children in principles of true Religion: We will, and ordain, that a Licence to teach youth of the Pariſh where he ſerveth, be granted to none by the Ordinary of that place but onely to the ſaid Curat: provided always, that this conſtitution ſhall not extend to any Pariſh or Chapel in Country Towns, where there is a publick Schole founded already: In which caſe we think it not meet to allow any to teach Grammar, but onely him that is allowed for the ſaid publick Schole.

LXXIX.

The duty of Schole-maſters.

ALl Schole-maſters ſhall teach in *Engliſh* or *Latin*, as the children are able to bear, the larger, or ſhorter Catechiſm heretofore by publick authority ſet forth. And as often as any Sermon ſhall be upon Holy, and Feſtival days, within the Pariſh where they teach, they ſhall bring their

Scholars to the Church where ſuch Sermon shall be made, and there ſee them quietly, and ſoberly behave themſelvs, and shall examine them at times convenient after their return what they have born away of ſuch Sermons. Upon other days, and at other times, they shall train them up with ſuch ſentences of holy Scripture, as shall be moſt expedient to induce them to all godlineſs: and they shall teach the Grammar ſet forth by King HENRY the eighth, and continued in the times of King EDWARD the ſixth, and Queen ELIZABETH of noble memory, and noneother. And if any Schole-maſter being licenſed, and having ſubſcribed as aforeſaid, shall offend in any of the premiſſes, or either ſpeak, write, or teach againſt any thing whereunto he hath formerly ſubſcribed (if upon admonition by the Ordinary he do not amend, and reform himſelf) let him be ſuſpended from teaching Schole any longer.

Things appertaining to *Churches*.

LXXX.

The great Bible, and Book of Common-Prayer to be had in every Church.

THE Church-wardens or Queſt-men of every Church and Chapel, shall at the charge of the Pariſh, provide the Book of Common Prayer lately explained in ſome few points by his Majeſties authority according to the Laws, and his Highneſs prerogative

prerogative in that behalf, and that with all convenient ſpeed, but at the furtheſt within two months after the publiſhing of theſe our Conſtitutions. And if any Pariſhes be yet unfurniſhed of the Bible of the largeſt volume, or of the Books of Homilies allowed by Authority: the ſaid Church-wardens ſhall within convenient time provide the ſame at the like charge of the Pariſh.

LXXXI.

A Font of ſtone for Baptiſm in every Church.

ACcording to a former conſtitution, too much neglected in many places, we appoint, that there ſhall be a Font of ſtone in every Church and Chapel where Baptiſm is to be miniſtred: the ſame to be ſet in the antient uſual places. In which only Font the Miniſter ſhall baptize publickly.

LXXXII.

A decent Communion Table in every Church.

WHereas we have no doubt but that in all Churches within the Realm of *England*, convenient and decent Tables are provided, and placed, for the celebration of the holy Communion, we appoint that the ſame Tables ſhall from time to time be kept, and repaired, in ſufficient and ſeemly manner, and covered in time of Divine Service with a carpet of Silk or other decent ſtuff thought meet by the Ordinary of the place, if any queſtion be made of it, and with a fair linnen cloth at the time of the miniſtration as becometh that Table, and ſo ſtand, ſaving when the ſaid holy

Communion is to be adminiſtred. At which time the ſame ſhall be placed in ſo good ſort within the Church or Chancel, as thereby the Miniſter may be more conveniently heard of the Communicants in his Prayer, and miniſtration, and the Communicants alſo more conveniently, and in more number may communicate with the ſaid Miniſter, and that the ten Commandments be ſet upon the Eaſt end of every Church, and Chapel, where the people may beſt ſee and read the ſame, and other choſen Sentences written upon the walls of the ſaid Churches and Chapels, in places convenient, and likewiſe that a convenient ſeat be made for the Miniſter to read Service in. All theſe to be done at the charge of the Pariſh.

LXXXIII.

A Pulpit to be provided in every Church.

THe Church-wardens or Queſt-men at the common charge of the Pariſhioners in every Church ſhall provide a comely & decent Pulpit, to be ſet in a convenient place within the ſame, by the diſcretion of the Ordinary of the place, if any queſtion do ariſe, and to be there ſeemly kept for the preaching of Gods Word.

LXXXIV.

A cheſt for Alms in every Church.

THe Church-wardens ſhall provide, and have, within three months after the publiſhing of theſe Conſtitutions a ſtrong cheſt, with an hole in the upper part thereof, to be provided

provided at the charge of the Pariſh (if there be none ſuch already provided) having three keys. Of which, one ſhall remain in the cuſtody of the Parſon, Vicar, or Curat, and the other two in the cuſtody of the Church-wardens for the time being, which Cheſt they ſhall ſet and faſten in the moſt convenient place, to the intent the Pariſhioners may put into it their Alms for their poor neighbours. And the Parſon, Vicar, or Curat, ſhall diligently from time to time, and eſpecially when men make their Teſtaments, call upon, exhort and move their neighbours to conferr, and give as they may well ſpare, to the ſaid cheſt, declaring unto them, that whereas heretofore they have been diligent to beſtow much ſubſtance, otherwiſe than God commanded, upon ſuperſtitious uſes, now they ought at this time to be much more ready to help the poor, and needy, knowing that to relieve the poor is a ſacrifice which pleaſeth God; and that alſo whatſoever is given for their comfort, is given to Chriſt himſelf, and is ſo accepted of him, that he will mercifully reward the ſame. The which alms, and devotion of the people, the Keepers of the Keys ſhall yearly, quarterly, or oftner (as need requireth) take out of the cheſt, and diſtribute the ſame in the preſence of moſt of the Pariſh, or ſix of the chief of them, to be truly, and faithfully delivered to their moſt poor, and needy neighbours.

LXXXV.

Churches to be kept in ſufficient reparations.

THe Church-wardens or Queſtmen shall take care, and provide, that the Churches be well and ſufficiently repaired, and ſo from time to time kept, and maintained, that the Windows be well glazed, and that the Floors be kept paved, plain, and even, and all things there in ſuch an orderly, and decent ſort, without duſt or any thing that may be either noiſome, or unſeemly, as becometh the Houſe of God, and is preſcribed in an Homily to that effect. The like care they shall take, that the Church-yard be well and ſufficiently repaired, fenced and maintained, with Walls, Rails, or Pales, as have been in each place accuſtomed, at their charges unto whom by Law the ſame appertaineth: but eſpecially they ſhall ſee that in every meeting of the Congregation, peace be well kept, and that all perſons Excommunicated, and ſo denounced, be kept out of the Church.

LXXXVI.

Churches to be ſurveyed, and the decays certified to the high Commiſſioners.

EVery Dean, Dean and Chapter, Arch-deacon, and other which have authority to hold Eccleſiaſtical Viſitations by Compoſition, Law or preſcription, shall ſurvey the Churches of his or their Juriſdiction, once in every three years in his own perſon, or cauſe the ſame to be done, and shall from time to time within the ſaid three years, certifie the high

high Commiſſioners for cauſes Eccleſiaſtical, every year, of ſuch defects in any the ſaid Churches, as he or they do find to remain unrepaired, and the names, and ſirnames of the parties faulty therein. Upon which certificate we deſire that the ſaid high Commiſſioners will *ex officio mero* ſend for ſuch parties, and compell them to obey the juſt & lawful Decrees of ſuch Eccleſiaſtical Ordinaries, making ſuch certificates.

LXXXVII.

A Terrier of Glebe-lands, and other poſſeſſions belonging to Churches.

WEe ordain that the Arch-biſhops, and all Biſhops within their ſeveral Dioceſſes, ſhall procure (as much as in them lieth) that a true note, and Terrier of all the Glebes, Lands, Medows, Gardens, Orchards, Houſes, Stocks, Implements, Tenements, and portions of Tythes lying out of their Pariſhes, (which belong to any Parſonage, or Vicarage, or rurall Prebend,) be taken by the view of honeſt men in every Pariſh, by the appointment of the Biſhop, whereof the Miniſter to be one, and be laid up in the Biſhops Regiſtry, there to be for a perpetual memory thereof.

LXXXVIII.

Churches not to be prophaned.

THe Church-wardens or Queſt-men, and their Aſſiſtants ſhal ſuffer no Plays, Feaſts, Banquets, Suppers, Church-ales, Drinkings, temporal Courts or Leets, Lay-juries, Muſters, or any other prophane Uſage, to be kept in the Church, Chapel, or Church-yard, neither the Bels to be

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rung ſuperſtitiouſly, upon Holy-days or Eves, abrogated by the Book of Common-prayer, nor at any other times, without good cauſe to be allowed by the Miniſter of the place, and by themſelves.

Church-wardens, or Queſt-men, and Side-men, or Aſſiſtants.

LXXXIX

The choice of Church-wardens, and their accompt.

ALl Church-wardens or Queſt-men in every Pariſh, shall be choſen by the joint conſent of the Miniſter and the Pariſhioners, if it may be. But if they cannot agree upon ſuch a choice, then the Miniſter shall chooſe one, and the Pariſhioners another: and without ſuch a joint or ſeveral choice, none shall take upon them to be Church-wardens, neither shall they continue any longer than one year in that office, except perhaps they be choſen again in like manner. And all Church-wardens at the end of their year, or within a month after at the moſt, shall before the Miniſter and the Pariſhioners give up a juſt account of ſuch money as they have received, and alſo what particularly they have beſtowed in reparations, and otherwiſe for the uſe of the Church. And laſt of all going out of their office, they shall truely deliver up to the Pariſhioners whatſoever money, or other things of right belonging to the Church or Pariſh, which remain in their hands, that it may be delivered over

by

by them to the next Church-wardens by Bill indented.

XC.

The choyce of Side-men, and their joynt Office with Church-wardens.

THe Church-wardens or Queſt-men of every Pariſh, and two or three or more diſcreet perſons in every Pariſh to be choſen for Side-men or Aſſiſtants, by the Miniſter and Pariſhioners, if they can agree, (otherwiſe to be appoynted by the Ordinary of the Dioceſs) ſhall diligently ſee, that all the Pariſhioners duely reſort to their Church upon all Sundayes, and Holydayes, and there continue the whole time of Divine Service: and none to walk or to ſtand idle, or talking in the Church, or in the Churchyard, or the Church-porch during that time. And all ſuch as ſhall be found ſlack or negligent in reſorting to the Church, (having no great, nor urgent cauſe of abſence) they ſhall earneſtly call upon them: and after due monition (if they amend not) they ſhall preſent them to the Ordinary of the place. The choyce of which perſons, *viz.* Church-wardens or Queſt-men, Side-men or Aſſiſtants, ſhall be yearly made in Eaſter week.

Pariſh Clarks.

XCI.

Pariſh Clarks to be choſen by the Miniſter.

NO Pariſh Clark upon any Vacation ſhall be choſen within the City of *London*, or elſewhere within the Province of *Canterbury*, but by the Parſon or Vicar: or where there is no Parſon or Vicar, by the Miniſter of that place for the time being: Which choyce ſhall be ſignified by the ſayd Miniſter, Vicar, or Parſon, to the Pariſhioners the next Sunday following in the time of Divine Service. And the ſaid Clark ſhall be of twenty years of age at the leaſt: and known to the ſaid Parſon, Vicar, or Miniſter to be of honeſt converſation, and ſufficient for his Reading, Writing, and alſo for his competent skill in finging (if it may be.) And the ſaid Clarks ſo choſen ſhall have and receive their antient wages, without fraud or diminution, either at the hands of the Church-wardens at ſuch times as hath been accuſtomed, or by their own collection, according to the moſt antient cuſtom of every Pariſh.

Eccleſi-

Eccleſiaſtical Courts belonging to the Arch-Biſhops Juriſdiction.

XCII.

None to be cited into divers Courts for probate of the ſame Will.

FOR as much as many heretofore have been by Apparitors, both of inferiour Courts, and of the Courts of the Arch-biſhops Prerogative, much diſtracted, and diverſly called and ſummoned for probate of Wills, or to take adminiſtrations of the goods of perſons dying inteſtate, and are thereby vexed and grieved, with many cauſeleſs and unneceſſary troubles, moleſtations, and expences: We conſtitute, and appoint, That all Chancellours, Commiſſaries, or Officials, or any other exerciſing Eccleſiaſtical Juriſdiction whatſoever, ſhall at the firſt, charge with an Oath all perſons called, or voluntarily appearing before them for the probate of any Will, or the Adminiſtration of any goods, whether they know, or (moved by any ſpecial inducement) do firmly believe that the party deceaſed (whoſe Teſtament or goods depend now in queſtion) had at the time of his or her death, any goods or good debts in any other Dioceſs or Dioceſſes, or Peculiar Juriſdiction within that Province, than in that wherein the ſaid party died, amounting to the value of 5 l. And if the ſaid perſon cited, or voluntarily appearing before him, ſhall upon his oath affirm, That he knoweth, or (as aforeſaid)

firmly believeth, that the ſaid party deceaſed had goods or good debts in any other Dioceſs or Dioceſſes, or peculiar Juriſdiction within the ſaid Province, to the value aforeſaid, and particularly ſpecifie and declare the ſame: then ſhall he preſently diſmiſs him, not preſuming to intermeddle with the probate of the ſaid Will, or to grant Adminiſtration of the goods of the party ſo dying inteſtate: neither ſhall he require or exact any other charges of the ſaid parties more than ſuch only as are due for the Citation, and other Proceſs had and uſed againſt the ſaid parties, upon their further contumacy: but ſhall openly, and plainly declare, and profeſs, that the ſaid cauſe belongeth to the Prerogative of the Arch-biſhop of that Province, willing and admoniſhing the party to prove the ſaid Will, or require Adminiſtration of the ſaid goods, in the Court of the ſaid Prerogative, and to exhibit before him the ſaid Judg, the probate or adminiſtration under the Seal of the Prerogative, within fourty daies next following. And if any Chancellor, Commiſſary, Official, or other exerciſing Eccleſiaſtical Juriſdiction whatſoever, or any their Regiſter ſhall offend herein, let him be *ipſo facto* ſuſpended from the execution of his office, not to be abſolved or releaſed, untill he have reſtored to the party all expences by him laid out contrary to the tenour of the premiſſes: and every ſuch probate of any Teſtament or adminiſtration of goods ſo granted, ſhall be held void and fruſtrate to all effects of the Law

whatſoever. Furthermore we charge, and enjoyn, that the Regiſter of every inferiour Judg do, without all difficulty or delay, certifie, and inform the Apparitor of the Prerogative-court, repairing unto him once a moneth, & no oftner, what Executors or Adminiſtrators have been by the ſaid Judg, for the incompetency of his own Juriſdiction, diſmiſſed to the ſaid Prerogative Court within the moneth next before, under pain of a moneths ſuſpenſion from the exerciſe of his Office for every default therein. Provided, that this Canon, or any thing therein contained, be not prejudical to any compoſition between the Archbiſhop and any Biſhop, or other Ordinary, nor to any inferiour Judg that ſhall grant any probate of Teſtament, or adminiſtration of goods, to any party that ſhall voluntarily deſire it, both out of the ſaid inferiour Court, and alſo out of the Prerogative. Provided likewiſe, that if any man die *in itinere*, the goods that he hath about him at that preſent, ſhall not cauſe his Teſtament or Adminiſtration to be liable unto the Prerogative Court.

XCIII.

The Rate of Bona notabilia *liable to the Prerogative Court.*

FUrthermore we decree and ordain, that no Judg of the Archbiſhops Prerogative ſhall henceforward cite, or cauſe to be cited *ex officio* any perſon whatſoever to any of the aforeſaid intents, unleſs he have knowledge that the party deceaſed was at the time of his death poſſeſſed of goods

goods & chattels in ſome other Dioceſs or Dioceſſes, or peculiar Juriſdiction within that Province than in that wherin he died, amounting to the value of five pounds at the leaſt: decreeing and declaring, that whoſo hath not goods in divers Dioceſſes to the ſaid ſum or value, ſhall not be accounted to have *bona notabilia*. Alwaies provided, that this clauſe here, and in the former Conſtitution mentioned, ſhall not prejudice thoſe Dioceſſes where by compoſition or cuſtom *bona notabilia* are rated at a greater ſum. And if any Judge of the Prerogative Court, or any his Surrogate, or his Regiſter, or Apparitor, ſhall cite or cauſe any perſon to be cited into his Court, contrary to the tenor of the premiſſes, he ſhall reſtore to the party ſo cited all his coſts and charges, and the acts and proceedings in that behalf ſhall be held void and fruſtrate. Which expences, if the ſaid Judg, or Regiſter, or Apparitor ſhall refuſe accordingly to pay, he ſhall be ſuſpended from the exerciſe of his Office, untill he yield to the performance thereof.

XCIV.

None to be cited into the Arches or Audience, but dwellers within the Archbiſhops Dioceſs or Peculiars.

NO Dean of the Arches nor Official of the Archbiſhops Conſiſtory, nor any Judge of the Audience, ſhall henceforward in his own name or in the name of the Archbiſhop, either *ex officio* or at the inſtance of any party, originally cite, ſummon, or any way compel, or procure to be cited,

cited, ſummoned, or compelled, any perſon which dwelleth not within the particular Dioceſs or Peculiar of the ſaid Archbiſhop, to appear before him or any of them, for any cauſe or matter whatſoever belonging to Eccleſiaſtical cognizance, without the licence of the Dioceſan firſt had and obteined in that behalf, other than in ſuch particular caſes only as are expreſly excepted and reſerved in and by a Statute *Ann.* 23. *H.*8. *c.*9. And if any of the ſaid Judges ſhall offend herein, he ſhall for every ſuch offence be ſuſpended from the exerciſe of his office for the ſpace of three whole moneths.

XCV.

The Reſtraint of double Quarrels.

ALbeit by former Conſtitutions of the Church of *England*, every Biſhop hath had two moneths ſpace to enquire and inform himſelf of the ſufficiency and qualities of every Miniſter, after he hath been preſented unto him to be inſtituted into any Benefice: yet for the avoiding of ſome inconveniences, we do now abridge and reduce the ſaid two moneths unto eight and twenty daies only. In reſpect of which abridgment, we do ordain & appoint, that no double Quarrel ſhall hereafter be granted out of any of the Archbiſhops Courts at the ſuit of any Miniſter whoſoever, except he ſhall firſt take his perſonal oath, that the ſaid eight and twenty daies at the leaſt are expired, after he firſt tendered his preſentation to the Biſhop, and that he refuſed to grant

him

him Institution thereupon: or shall enter bonds with sufficient sureties to prove the same to be true, under pain of suspension of the Granter thereof from the exeeution of his Office, for half a year *toties quoties* to be denounced by the said Archbishop, and Nullity of the double Quarrel aforesaid, so unduly procured, to all intents and purposes whatsoever. Alwaies provided, that within the said eight and twenty daies, the Bishop shall not institute any other, to the prejudice of the said party before presented, *sub pœna nullitatis.*

XCVI.

Inhibitions not to be granted without the subscription of an Advocate.

THat the Jurisdictions of Bishops may be preserved (as neer as may be) entire and free from prejudice, and that for the behoof of the Subjects of this Land, better provision be made, that henceforward they be not grieved with frivolous and wrongful suits, and molestations: It is ordained, and provided, that no Inhibition shall be granted out of any Court, belonging to the Archbishop of *Canterbury*, at the instance of any party, unless it be subscribed by an Advocate practising in the said Court: which the said Advocate shall do freely, not taking any Fee for the same, except the the party prosecuting the suit, do voluntarily bestow some gratuity upon him for his counsel and advice in the said cause. The like course shall be used in granting forth any Inhibition

Inhibition at the inſtance of any party by the Biſhop or his Chancellor againſt the Arch-deacon, or any other perſon exerciſing Eccleſiaſtical juriſdiction: and if in the Court or Conſiſtory of any Biſhop there be no Advocate at all, then ſhall the ſubſcription of a Proctor, practiſing in the ſame Court, be ſufficient.

XCVII.

Inhibitions not to be granted until the Appeal be exhibited to the Judge.

IT is further ordered, and decreed, that henceforward no Inhibition be granted by occaſion of any Interlocutory decree, or in any cauſe of correction whatſoever, except under the form aforeſaid: and moreover that before the going out of any ſuch Inhibition, the Appeal it ſelf, or a copy thereof (avouched by oath to be juſt and true) be exhibited to the Judge, or his lawful Surrogate, whereby he may be fully informed, both of the quality of the crime, and of the cauſe of the grievance, before the granting forth of the ſaid Inhibition. And every Appellant or his lawful Proctor ſhall, before the obteining of any ſuch Inhibition, ſhew and exhibit to the Judge or his Surrogate in writing, a true copy of thoſe Acts wherewith he complaineth himſelf to be aggrieved, and from which he appealeth, or ſhall take a corporal oath that he hath performed his diligence, and true endeavour for the obteining of the ſame, and could not obtein it at the hands of the Regiſter in the Countrey,

or his Deputy, tendering him his Fee. And if any Judge or Regiſter ſhall either procure or permit any Inhibition to be ſealed, ſo as is ſaid, contrary to the form and limitation above ſpecified, let him be ſuſpended from the execution of his office, for the ſpace of three moneths: If any Proctor, or other perſon whatſoever by his appointment, ſhall offend in any of the premiſſes, either by making or ſending out any Inhibition, contrary to the tenor of the ſaid premiſſes, let him be removed from the exerciſe of his office for the ſpace of a whole year, without hope of releaſe or reſtoring.

XCVIII.

Inhibitions not to be granted to factious Appellants, unleſs they firſt ſubſcribe.

FOraſmuch as they who break the Laws cannot in reaſon claime any benefit or protection by the ſame; We decree and appoint, that after any Judge Eccleſiaſtical hath proceeded judicially againſt obſtinate and factious perſons, and contemners of Ceremonies, for not obſerving the Rites and Orders of the Church of *England*, or for contempt of publick Prayer, no Judge *ad quem*, ſhall admit or allow any his or their Appeals, unleſs he having firſt ſeen the original Appeal, the party appellant do firſt perſonally promiſe and vow, that he will faithfully keep and obſerve all the Rites and Ceremonies of the Church of *England*, as alſo the preſcript form of Common Prayer: and do likewiſe ſubſcribe to the three Articles formerly by us ſpecified and declared.

None

XCIX.

None to marry within the degrees prohibited.

NO perſons ſhall marry within the degrees prohibited by the Laws of God, and expreſſed in a Table ſet forth by authority in the year of our Lord God 1563. and all Marriages ſo made and contracted ſhall be adjudged inceſtuous and unlawful, and conſequently ſhall be diſſolved as void from the beginning, and the parties ſo married ſhall by courſe of law be ſeparated. And the aforeſaid Table ſhall be in every Church publikly ſet up, and fixed at the charge of the Pariſh.

C.

None to marry under xxi. years, without their Parents conſent.

NO children under the age of one and twenty years compleat, ſhall contract or marry without the conſent of their Parents, or of their Guardians and Governours, if their Parents be deceaſed.

CI.

By whom Licences to marry without Banns ſhall be granted, and to what ſort of perſons.

NO Faculty or Licence ſhall be henceforth granted for ſolemnization of Matrimony betwixt any parties, without thrice open publication of the Banns, according to the Book of Common Prayer, by any perſon exerciſing any Eccleſiaſtical Juriſdiction, or claiming any Privileges in the right of their Churches: but the ſame ſhall be granted

only by ſuch as have Epiſcopal authority, or the Commiſſary for Faculties, Vicars general of the Archbiſhops and Biſhops *ſede plena*, or *ſede vacante*, the Guardian of the Spiritualties, or Ordinaries exerciſing of right Epiſcopal Juriſdiction in their ſeveral Juriſdictions reſpectively, and unto ſuch perſons only as be of good ſtate and quality, and that upon good caution and ſecurity taken.

CII.

Security to be taken at the granting of ſuch Licences, and under what condition.

THe ſecurity mentioned ſhall contain theſe conditions: Firſt, that at the time of the granting every ſuch Licence, there is not any impediment or precontract, conſanguinity, affinity, or other lawful cauſe to hinder the ſaid mariage. Secondly, that there is not any controverſie or ſuit depending in any Court before any Eccleſiaſtical Judg, touching any contract or marriage of either of the ſaid parties with any other. Thirdly, that they have obteined thereunto the expreſs conſent of their parents (if they be living) or otherwiſe of their Guardians or Governours. Laſtly, that they ſhall celebrate the ſaid Matrimony publikly in the Pariſh Church or Chapel where one of them dwelleth, and in no other place, and that between the hours of eight and twelve in the forenoon.

CIII.

Oathes to be taken for the conditions.

FOr the avoiding of all fraud and collusion in the obteining of such Licences and Dispensations: We further constitute and appoint, That before any Licence for the Celebration of Matrimony, without publication of Banns be had or granted, it shall appear to the Judg by the oathes of two sufficient witnesses, one of them to be known either to the Judg himself, or to some other person of good reputation then present, and known likewise to the said Judg, that the express consent of the Parents, or Parent if one be dead, or Guardians, or Guardian of the parties is thereunto had and obteined. And furthermore that one of the parties personally swear, that he believeth there is no let or impediment of precontract, kindred, or alliance, or of any other lawful cause whatsoever, nor any suit commenced in any Ecclesiastical Court, to bar or hinder the proceeding of the said Matrimony, according to the tenor of the foresaid Licence.

CIV.

An exception for those that are in Widow-hood.

IF both the parties which are to marry being in Widow-hood, do seek a Faculty for the forbearing of Banns, then the clauses before-mentioned, requiring the parents consents may be omitted: but the Parishes where they dwell both shall be expressed in the Licence, as also the Parish

named

named where the Marriage ſhall be celebrated. And if any Commiſſary for Faculties, Vicars general, or other the ſaid Ordinaries ſhall offend in the premiſſes, or any part therof, he ſhall for every time ſo offending, be ſuſpended from the execution of his office for the ſpace of ſix months: and every ſuch Licence or Diſpenſation ſhall be held void to all effects and purpoſes, as if there had never been any ſuch granted: and the parties marrying by vertue thereof, ſhall be ſubject to the puniſhments which are appointed for clandeſtine Marriages.

C V.

No Sentence for Divorce to be given upon the ſole confeſſion of the parties.

FOraſmuch as matrimonial cauſes have been alwaies reckoned and reputed amongſt the weightieſt, and therefore require the greater caution, when they come to be handled and debated in judgment, eſpecially in cauſes wherein Matrimony having been in the Church duely ſolemnized, is required upon any ſuggeſtion or pretext whatſoever to be diſſolved or annulled; We do ſtraightly charge and enjoyn, that in all proceedings to Divorce and Nullities of Matrimony, good circumſpection and advice be uſed, and that the truth may (as far as poſſible) be ſifted out by the depoſition of witneſſes, and other lawful proofs and evictions, and that credit be not given to the ſole confeſſion of the parties themſelves, howſoever taken upon oath, either within or without the Court.

No

CVI.

No Sentence for Divorce to be given but in open Court.

NO ſentence ſhall be given either for ſeparation *a thoro & menſa*, or for annulling of pretended Matrimony, but in open Court, and in the ſeat of Juſtice, and that with the knowledg and conſent either of the Archbiſhop within his province, or of the Biſhop within his Dioceſs, or of the Dean of the Arches, the Judg of the Audience of *Canterbury*, or of the Vicars general, or other principal Officials, or *ſede vacante*, of the Guardians of the the Spiritualties, or other Ordinaries to whom of right it apperteineth, in their ſeveral Juriſdictions and Courts, and concerning them only that are then dwelling under their juriſdictions.

CVII.

In all Sentences for Divorce, bonds to be taken for not marrying, during each others life.

IN all Sentences pronounced only for Divorce and Separation, *a thoro & menſa*, there ſhall be a caution and reſtraint inſerted in the Act of the ſaid Sentence, That the parties ſo ſeparated, ſhall live chaſtly, and continently: neither ſhall they, during each others life, contract Matrimony with other perſon. And for the better obſerving of this laſt clauſe, the ſaid Sentence of Divorce ſhall not be pronounced, until the party or parties requiring the ſame, have given good and ſufficient caution, and ſecurity into the Court, that they will not any way break or tranſgreſs the ſaid reſtraint or prohibition.

The

CVIII.

The penalty for Judges offending in the premisses.

AND if any Judg giving Sentence of Divorce or Separation, shall not fully keep and observe the premisses, he shall be by the Archbishop of the Province, or by the Bishop of the Diocess, suspended from the exercise of his Office for the space of a whole year, and the sentence of separation so given, contrary to the form aforesaid, shall be held void to all intents and purposes of the Law, as if it had not at all been given or pronounced.

Ecclesiastical Courts belonging to the Jurisdiction of Bishops and Arch-deacons, and the proceedings in them.

CIX.

Notorious Crimes and Scandals to be certified into Ecclesiastical Courts by Presentment.

IF any offend their brethren, either by Adultery, Whoredom, Incest, or Drunkenness, or by Swearing, Ribaldry, †Usury, or any other uncleanness and wickedness of life, the Churchwardens or Questmen and Sidemen in their next Presentments to their Ordinaries, shall faithfully present all and every the said offenders, to the intent that they and every of them may be punished by the severity of the Laws, according to their deserts, and such notorious offenders shall not be admitted to the holy Communion till they be reformed. *Schis-*

† All Canons on this Subject took their rise from the 17th Canon of ye Council of Nice, which only forbids enormous usury, as 12 p Cent (for money) and 50 p Cent (for Corn). Pref. to ye Cler. Vade mec. Vol. 2. p. 113.

CX.

Schiſmaticks to be preſented.

IF the Churchwardens or Queſtmen or Aſſiſtants, do or ſhall know any man within their Pariſh, or elſewhere, that is a hinderer of Gods Word to be read or ſincerely preached, or of the execution of theſe our Conſtitutions, or a fautor of any uſurped or forein power by the Laws of this Realm juſtly rejected and taken away, or a defender of Popiſh and erronious doctrine: they ſhall detect and preſent the ſame to the Biſhop of the Dioceſs, or Ordinary of the place, to be cenſured and puniſhed according to ſuch Eccleſiaſtical Laws as are preſcribed in that behalf.

CXI.

Diſturbers of Divine Service to be preſented.

IN all Viſitations of Bishops and Archdeacons, the Churchwardens or Queſtmen and Sidemen shall truly and perſonally preſent the names of all thoſe, which behave themſelves rudely or diſorderly in the Church, or which by untimely ringing of Bells, by walking, talking, or other noiſe, ſhall hinder the Miniſter or Preacher.

CXII.

Not Communicants at Eaſter to be preſented.

THe Miniſter, Churchwardens, Queſtmen and Aſſiſtants of every Parish Church and Chapel, shall yearly, within forty daies after Eaſter, exhibit to the Bishop or his Chancellor, the names and ſurnames of all Parishioners, aſ-

well men as women, which being of the age of ſixteen yeers, received not the Communion at Eaſter before.

CXIII.

Miniſters may preſent.

BEcauſe it often cometh to paſs, that the Churchwardens, Sidemen, Queſtmen, and ſuch other perſons of the Laytie as are to take care for the ſuppreſſing of ſin and wickedneſs in their ſeveral Pariſhes, as much as in them lieth, by admonition, reprehenſion, and denunciation to their Ordinaries, do forbear to diſcharge their duties therein, either through fear of their Superiors, or through negligence, more than were fit, the licentiouſneſs of theſe times conſidered: We ordain, that hereafter every Parſon and Vicar, or in the lawful abſence of any Parſon or Vicar, then their Curates and Subſtitutes may joyn in every preſentment, with the ſaid Churchwardens, and the reſt above-mentioned at the times hereafter limited, if they the ſaid Churchwardens, Sidemen, and the reſt will preſent ſuch enormities as are apparant in the Pariſh: or if they will not, then every ſuch Parſon and Vicar, or, in their abſence as aforeſaid, their Curats may themſelves preſent to their Ordinaries at ſuch times, and when elſe they think it meet, all ſuch crimes as they have in charge, or otherwiſe, as by them (being the perſons that ſhould have the chief care for the ſuppreſſing of ſin and impiety

impiety in their Pariſhes) ſhall be thought to require due reformation. Provided alwaies, that if any man confeſs his ſecret and hidden ſins to the Miniſter for the unburthening of his conſcience, and to receive ſpiritual conſolation and eaſe of mind from him; We do not any way bind the ſaid Miniſter by this our Conſtitution, but do ſtraightly charge and admoniſh him, that he do not at any time reveal and make known to any perſon whatſoever, any crime or offence ſo committed to his truſt and ſecrecy (except they be ſuch crimes as by the Laws of this Realm, his own life may be called into queſtion for concealing the ſame) under pain of irregularity.

CXIV.

Miniſters ſhall preſent Recuſants.

EVery Parſon, Vicar, or Curat ſhall carefully inform themſelves every year hereafter, how many Popiſh Recuſants, men, women, and children above the age of thirteen yeers, and how many being Popiſhly given (who though they come to the Church, yet do refuſe to receive the Communion) are inhabitants, or make their abode, either as Sojourners or common Gueſts in any of their ſeveral Pariſhes, and ſhall ſet their true names in writing (if they can learn them) or otherwiſe, ſuch names as for the time they carry, diſtinguiſhing the abſolute Recuſants from half Recuſants: and the ſame ſo far as they know and believe, ſo diſtinguiſhed and ſet down under their hands, ſhall truly

preſent to their Ordinaries before the feaſt of the Nativity next enſuing, under pain of ſuſpenſion to be inflicted upon them by their ſaid Ordinaries: and ſo every year hereafter upon the like pain, before the feaſt of Saint *John Baptiſt*. Alſo we ordain, that all ſuch Ordinaries, Chancellors, Commiſſaries, Arch-deacons, Officials, and all other Eccleſiaſtical Officers, to whom the ſaid preſentments ſhall be exhibited, ſhall likewiſe within one moneth after the receipt of the ſame, under pain of ſuſpenſion by the Biſhop from the execution of their Offices for the ſpace of half a year (as often as they ſhall offend therein) deliver them, or cauſe them to be delivered to the Biſhop reſpectively: who ſhall alſo exhibit them to the Archbiſhop within ſix weeks, and the Archbiſhop to his Majeſty within other ſix weeks, after he hath received the ſaid preſentments.

CXV.

Miniſters, and Churchwardens not to be ſued for preſenting.

WHereas for the reformation of criminous perſons, and diſorders in every Pariſh, the Church-wardens, Queſtmen, Side-men, and ſuch other Church-Officers are ſworn, and the Miniſter charged, to preſent as well the crimes, and diſorders committed by the ſaid criminous perſons, as alſo the common fame which is ſpread abroad of them, whereby they are often maligned, and ſometimes troubled by the ſaid Delinquents or their friends: We do admoniſh, and exhort all Judges both Eccleſiaſtical and Temporal, as they regard

and

and reverence the fearful Judgment ſeat of the higheſt Judg, that they admit not in any of their Courts, any complaint, plea, ſuit, or ſuits againſt any ſuch Church-wardens, Queſt-men, Side-men, or other Church Officers, for making any ſuch preſentments, nor againſt any Miniſter for any preſentment that he ſhall make: all the ſaid preſentments tending to the reſtraint of ſhameleſs impiety, and conſidering that the rules both of charity and government do preſume that they did nothing therein of malice, but for the diſcharge of their conſciences.

CXVI.

Church-wardens not bound to preſent oftner than twice a year.

NO Church-wardens, Queſt-men, or Sidemen of any Pariſh ſhall be inforced to exhibit their preſentments to any having Eccleſiaſtical Juriſdiction above once in every year, where it hath been no oftner uſed, nor above twice in any Dioceſs whatſoever, except it be at the Biſhops Viſitation. For the which preſentments of every Pariſh Church or Chapel, the Regiſter of any Court where they are to be exhibited, ſhall not receive in one year above four pence, under pain for every offence therein, of ſuſpenſion from the execution of his office for the ſpace of one moneth *toties quoties*. Provided alwaies, that as good occaſion ſhall require, it ſhall be lawful for every Miniſter, Church-wardens, and Side-men, to preſent offenders as often as they ſhall think meet. And likewiſe for any godly diſpoſed perſon, or for any

Eccle-

Eccleſiaſtical Judg, upon knowledge or notice given unto him or them, of any enormous crime within his Juriſdiction, to move the Miniſter, Church-wardens, or Side-men, as they tender the glory of God, and reformation of ſin, to preſent the ſame, if they ſhall find ſufficient cauſe to induce them thereunto, that it may be in due time puniſhed, & reformed. Provided, that for theſe voluntary preſentments, there be no Fee required or taken of them, under the pain aforeſaid.

CXVII.

Church-wardens not to be troubled for not preſenting oftner than twice a year.

NO Church-wardens, Queſt-men, or Side-men ſhall be called or cited, but only at the ſaid time or times before limited, to appear before any Eccleſiaſtical Judg whatſoever, for refuſing at other times to preſent any faults committed in their Pariſhes, and puniſhable by Eccleſiaſtical Laws. Neither ſhall they, or any of them, after their preſentments exhibited at any of thoſe times, be any further troubled for the ſame, except upon manifeſt and evident proof it may appear, that they did then willingly, and wittingly, omit to preſent ſome ſuch publique crime or crimes as they knew to be committed, or could not be ignorant that there was then a publique fame of them, or unleſs there be very juſt cauſe to call them for the explanation of their former preſentments. In which caſe of wilful omiſſion, their Ordinaries ſhall proceed againſt them in ſuch ſort, as in

cauſes

cauſes of wilful perjury in a Court Eccleſiaſtical it is already by Law provided.

CXVIII.

The old Churchwardens to make their preſentments before the new be ſworn.

THe Office of all Church-wardens and Side-men ſhall be reputed ever hereafter to continue, until the new Church-wardens that ſhall ſucceed them, be ſworn, which ſhall be the firſt week after Eaſter, or ſome week following, according to the direction of the Ordinary. Which time ſo appointed, ſhall alwaies be one of the two times in every year, when the Miniſter or Church-wardens, and Side-men of every Pariſh ſhall exhibit to their ſeveral Ordinaries, the preſentments of ſuch enormities as have happened in their Pariſhes, ſince their laſt preſentments. And this duty they ſhall perform before the newly choſen Church-wardens, and Side-men be ſworn, and ſhall not be ſuffered to paſs over the ſaid preſentments to thoſe that are newly come into Office, and are by intendment ignorant of ſuch crimes, under pain of thoſe cenſures which are appointed for the reformation of ſuch dalliers and diſpenſers with their own conſciences and Oaths.

CXIX.

Convenient time to be aſſigned for framing preſentments.

FOr the avoiding of ſuch inconveniences as heretofore have happened by the haſty making of Bills of preſent-

ments,

ments, upon the daies of the Viſitation, and Synods: it is ordered, That alwaies hereafter every Chancellor, Arch-Deacon, Commiſſary, and Official, and every other perſon having Eccleſiaſtical Juriſdiction, at the ordinary time when the Church-wardens are ſworn: and the Archbiſhop, and Biſhops, when he or they do ſummon their Viſitation, ſhall deliver, or cauſe to be delivered to the Church-wardens, Queſtmen, and Side-men of every Pariſh, or to ſome of them, ſuch books of Articles as they or any of them ſhall require for the year following, the ſaid Church-wardens, Queſt-men and Side-men to ground their preſentments upon, at ſuch times as they are to exhibit them. In which Book ſhall be contained the form of an Oath which muſt be taken immediately before every ſuch preſentment: to the intent that having before-hand time ſufficient, not only to peruſe, and conſider what the ſaid Oath ſhall be, but the Articles alſo whereupon they are to ground their preſentments, they may frame them at home both adviſedly and truly, to the diſcharge of their own conſciences, after they are ſworn, as becometh honeſt and godly men.

CXX.

None to be cited into Eccleſiaſtical Courts by Proceſs of Quorum nomina.

NO Biſhop, Chancellor, Arch-deacon, Official or other Eccleſiaſtical Judg ſhall ſuffer any general Proceſſes of *Quorum nomina*, to be ſent out of his Court: except the

the names of all ſuch as thereby are to be cited, ſhall be firſt expreſly entred by the hand of the Regiſter, or his Deputy, under the ſaid Proceſſes, and the ſaid Proceſſes and names be firſt ſubſcribed by the Judg, or his Deputy, and his Seal thereto affixed.

CXXI.

None to be cited into ſeveral Courts for one crime.

IN places where the Biſhop, and Arch-deacon do by preſcription or compoſition viſit at ſeveral times in one and the ſame year, leſt for one and the ſelf-ſame fault any of his Majeſties Subjects ſhould be challenged, and moleſted in divers Eccleſiaſtical Courts: We order and appoint, That every Arch-deacon, or his Official, within one moneth after the Viſitation ended that year, and the preſentments received, ſhall certifie under his Hand and Seal, to the Biſhop or his Chancellor, the names and crimes of all ſuch as are detected and preſented in his ſaid Viſitation, to the end the Chancellor ſhall henceforth forbear to convent any perſon for any crime or cauſe ſo detected or preſented to the Arch-deacon. And the Chancellor within the like time after the Biſhops Viſitation ended, and Preſentments received, ſhall under his Hand and Seal ſignifie to the Arch-deacon or his Official, the names and crimes of all ſuch perſons which ſhall be detected or preſented unto him in that Viſitation, to the ſame intent as is aforeſaid. And if theſe Officers ſhall not certifie each other as is here preſcribed, or after ſuch certificate ſhall entermeddle with the crimes or perſons de-

rected, and preſented in each others Viſitation: then every of them ſo offending, ſhall be ſuſpended from all exerciſe of his Juriſdiction, by the Biſhop of his Dioceſs, until he ſhall repay the coſts, and expences which the parties grieved have been at by that vexation.

CXXII.

No ſentence of Deprivation or Depoſition to be pronounced againſt a Miniſter, but by the Biſhop.

WHen any Miniſter is complained of, in any Eccleſiaſtical Court belonging to any Biſhop of this Province for any crime, the Chancellor, Commiſſary, Official or any other having Eccleſiaſtical Juriſdiction to whom it ſhall appertain, ſhall expedit the cauſe by Proceſſes, and other proceedings againſt him: and upon contumacy for not appearing, ſhall firſt ſuſpend him, and afterward his contumacy continuing, Excommunicate him. But if he appear, and ſubmit himſelf to the courſe of Law, then the matter being ready for ſentence, and the merits of his offence, exacting by Law either deprivation from his living, or depoſition from the Miniſtery, no ſuch ſentence ſhall be pronounced by any perſon whatſoever, but only by the Biſhop, with the aſſiſtance of his Chancellor, the Dean, (if they may conveniently be had) and ſome of the Prebendaries, if the Court be kept neer the Cathedral Church, or of the Arch-deacon, if he may be had conveniently, and two other at the leaſt grave Miniſters, and Preachers to be called

by

by the Biſhop, when the Court is kept in other places.

CXXIII.

No Act to be ſped but in open Court.

NO Chancellor, Commiſſary, Arch-deacon, Official, or any other perſon uſing Eccleſiaſtical Juriſdiction whoſoever, ſhall ſpeed any judicial Act, either of contentions or voluntary Juriſdiction, except we have the ordinary Regiſter of that Court, or his lawful Deputy; or if he or they will not, or cannot be preſent, then ſuch perſons as by law are allowed in that behalf to write or ſpeed the ſame, under pain of ſuſpenſion *ipſo facto*.

CXXIV.

No Court to have more than one Seal.

NO Chancellor, Commiſſary, Arch-deacon, Official, or any exerciſing Eccleſiaſtical Juriſdiction, ſhall without the Biſhops conſent have any more Seals than one, for the ſealing of all matters incident to his office. Which Seal ſhall alwaies be kept either by himſelf, or his lawful Subſtitute exerciſing Juriſdiction for him, and remaining within the Juriſdiction of the ſaid Judge, or in the City or principal Town of the Countrey. This ſhall contein the title of that Juriſdiction, which every of the ſaid Judges or their Deputies do execute.

CXXV.

Convenient places to be chosen for the keeping of Courts.

ALl Chancellors, Commissaries, Arch-deacons, Officials, and all other exercising Ecclesiastical Jurisdiction, shall appoint such meet places for the keeping of their Courts by the assignment or approbation of the Bishop of the Dioceſs, as shall be convenient for entertainment of those that are to make their appearance there, and most indifferent for their travel. And likewise they shall keep, and end their Courts in such convenient time, as every man may return homewards in as due season as may be.

CXXVI.

Peculiar, and inferiour Courts to exhibit the original copies of Wils into the Bishops Registry.

WHereas Deans, Arch-deacons, Prebendaries, Parsons, Vicars, and other Exercising Ecclesiastical Jurisdiction, claim liberty to prove the last Wils and Testaments of persons deceased within their several Jurisdictions, having no known nor certain Registers, nor publick place to keep their Records in, by reason whereof many Wills, Rights, and Legacies upon the death or change of such persons, and their private Notaries, miscarry, and cannot be found, to the great prejudice of his Majesties Subjects: We therefore order and enjoyn, that all such possessors, and exercisers of peculiar Jurisdiction, shall once in every year exhibit into the publick Registry of the Bishop of the Dioceſs,

ceſs, or of the Dean and Chapter under whoſe Juriſdiction the ſaid Peculiars are, every original Teſtament of every perſon in that time deceaſed, and by them proved in their ſeveral peculiar Juriſdictions, or a true Copy of every ſuch Teſtament examined, ſubſcribed, and ſealed by the peculiar Judg, and his Notary. Otherwiſe, if any of them fail ſo to do, the Biſhop of the Dioceſs, or Dean and Chapter unto whom the ſaid Juriſdictions do reſpectively belong, ſhall ſuſpend the ſaid parties, and every of them, from the exerciſe of all ſuch peculiar Juriſdiction, untill they have performed this our Conſtitution.

Judges Eccleſiaſtical, and their Surrogates.

CXXVII.

The quality and Oath of Judges.

NO man ſhall hereafter be admitted a Chancellor, Commiſſary, or Official, to exerciſe any Eccleſiaſtical Juriſdiction, except he be of the full age of ſix and twenty years at the leaſt, and one that is learned in the Civil, and Eccleſiaſtical Laws, and is at the leaſt a Maſter of Arts, or Bachelor of Law, and is reaſonably well practiſed in the courſe thereof, as likewiſe well affected, and zealouſly bent to Religion, touching whoſe life and manners no evil example is had, and except before he enter into, or execute any ſuch office, he

ſhall

ſhall take the oath of the Kings Supremacy in the preſence of the Biſhop, or in the open Court, and ſhall ſubſcribe to the Articles of Religion agreed upon in the Convocation, in the year one thouſand five hundred ſixty and two, and alſo ſhall ſwear, that he will to the uttermoſt of his underſtanding, deal uprightly and juſtly in his office, without reſpect or favour or reward: the ſaid oaths and ſubſcription to be recorded by a Regiſter then preſent. And likewiſe all Chancellors, Commiſſaries, Officials, Regiſters, and all other that do now poſſeſs or execute any places of Eccleſiaſtical Juriſdiction, or Service, ſhall before Chriſtmas next, in the preſence of the Archbiſhop or Biſhop, or in open Court, under whom or where they exerciſe their offices, take the ſame oaths, and ſubſcribe, as before is ſaid: or upon refuſal ſo to do, ſhall be ſuſpended from the execution of their Offices, until they ſhall take the ſaid oaths, and ſubſcribe, as aforeſaid.

CXXVIII.

The quality of Surrogates.

NO Chancellor, Commiſſary, Arch-deacon, Official, or any other perſon uſing Eccleſiaſtical Juriſdiction, ſhall at any time ſubſtitute in their abſence any to keep any Court for them, except he be either a grave Miniſter and a Graduate, or a licenſed publick preacher, and a Beneficed man neer the place where the Courts are kept, or a Bachelor of Law, or a Maſter of Arts at leaſt, who hath ſome skill in the civil

Civil and Eccleſiaſtical Law, and is a favourer of true Religion, and a man of modeſt and honeſt converſation, under pain of ſuſpenſion for every time that they offend therein from the execution of their offices for the ſpace of three moneths *toties quoties*. And he likewiſe that is deputed, being not qualified, as is before expreſſed, and yet ſhall preſume to be a ſubſtitute to any Judg, and ſhall keep any Court, as is aforeſaid, ſhall undergo the ſame cenſure in manner and form as is before expreſſed.

Proctors.

CXXIX.

Proctors not to retein cauſes without the lawful aſſignment of the parties.

NOne ſhall procure in any cauſes whatſoever, unleſs he be thereunto conſtituted and appointed by the party himſelf, either before the Judge, and by Act in Court, or unleſs in the beginning of the Suit, he be by a true and ſufficient Proxy thereunto warranted, and enabled: We call that Proxy ſufficient, which is ſtrengthned and confirmed by ſome authentical Seal, the parties approbation, or at leaſt his ratification therewithall concurring. All which Proxys ſhall be forthwith by the ſaid Proctors exhibited into the Court, and be ſafely kept, and preſerved by the Regiſter in the publick Regiſtry

Regiſtry of the ſaid Court. And if any Regiſter or Proctor ſhall offend herein he ſhall be ſecluded from the exerciſe of his Office for the ſpace of two moneths, without hope of releaſe or reſtoring.

CXXX.

Proctors not to retein cauſes without the counſel of an Advocate.

FOr leſſning, and abridging the multitude of Suits, and contentions, as alſo for preventing the complaints of Suits in Courts Eccleſiaſtical, who many times are overthrown by the overſight and negligence, or by the ignorance and inſufficiency of Proctors, and likewiſe for the furtherance and increaſe of Learning, and the advancement of Civil and Canon Law, following the laudable cuſtoms heretofore obſerved in the Courts perteining to the Archbiſhop of *Canterbury*: We will and ordain, that no Proctor exerciſing in any of them, ſhall entertain any cauſe whatſoever, and keep and entertain the ſame for two Court daies, without the counſel and advice of an Advocate, under pain of a years ſuſpenſion from his practice; neither ſhall the Judg have power to releaſe or mitigate the ſaid penalty, without expreſs Mandate and Authority from the Archbiſhop aforeſaid.

Proctors

CXXXI.

Proctors not to conclude in any cauſe, without the knowledg of an Advocate.

NO Judg in any of the ſaid Courts of the Archbiſhop, ſhall admit any Libel, or other matter, without the advice of an Advocate admitted to practiſe in the ſame Court, or without his ſubſcription: neither ſhall any Proctor conclude any cauſe depending, without the knowledg of the Advocate retained, and feed in the cauſe: which if any Proctor ſhall do, or procure to be done, or ſhall by any colour whatſoever defraud the Advocate of his duty or Fee, or ſhall be negligent in repairing to the Advocate, and requiring his advice, what courſe is to be taken in the cauſe, he ſhall be ſuſpended from all practice for the ſpace of ſix moneths, without hope of being thereunto reſtored, before the ſaid term be fully compleat.

CXXXII.

Proctors prohibited the Oath In animam Domini ſui.

FOraſmuch as in the probate of Teſtaments, and ſuits for adminiſtration of the goods of perſons dying inteſtate, the oath uſually taken by Proctors in Courts *In animam conſtituentis*, is found to be inconvenient: We do therefore decree & ordain, That every Executor or Suitor for adminiſtration, ſhall perſonally appear to the Judg in that behalf, or his Surrogate, and in his own perſon (and not by Proctor) take the oath accuſtomed in theſe caſes. But if by reaſon of ſick-

neſs or age, or any other juſt let or impediment, he be not able to make his perſonal appearance before the Judg, it ſhall be lawful for the Judg (there being faith firſt made by a credible perſon, of the truth of his ſaid hinderance or impediment) to grant a Commiſſion to ſome grave Eccleſiaſtical perſon abiding neer the party aforeſaid, whereby he ſhall give power and authority to the ſaid Eccleſiaſtical perſon in his ſtead to miniſter the accuſtomed oath abovementioned, to the Executor or Suitor for ſuch adminiſtration, requiring his ſaid Subſtitute, that by a faithful and truſty meſſenger he certifie the ſaid Judg truly and faithfully what he hath done therein. Laſtly, we ordain, and appoint, That no Judge or Regiſter, ſhall in any wiſe receive for the Writing, Drawing, or Sealing of any ſuch Commiſſion, above the ſum of ſix ſhillings and eight pence: whereof one moytie to be for the Judg, and the other for the Regiſter of the ſaid Court.

CXXXIII.

Proctors not to be clamorous in Court.

FOraſmuch as it is found by experience, that the loud & confuſed cries and clamours of Proctors in the Courts of the Arch-biſhop, are not only troubleſom, and offenſive to the Judges and Advocates, but alſo give occaſion to the ſtanders by, of contempt and calumny toward the Court it ſelf: that more reſpect may be had to the dignity of the Judg than heretofore, and that cauſes may more eaſily and commodiouſly

modiouſly be handled, and diſpatched: We charge and enjoyn, That all Proctors in the ſaid Courts do eſpecially intend, that the Acts be faithfully entred, and ſet down by the Regiſter, according to the advice and direction of the Advocate, that the ſaid Proctors refrain loud ſpeech, and brabling, and behave themſelves quietly, and modeſtly, and that when either the Judges or Advocates or any of them, ſhall happen to ſpeak, they preſently be ſilent, upon pain of ſilencing for two whole Terms then immediately following every ſuch offence of theirs. And if any man ſhall the ſecond time offend herein, and after due monition ſhall not reform himſelf: let him be for ever removed from his practice.

Regiſters.

CXXXIV.

Abuſes to be reformed in Regiſters.

IF any Regiſter, or Deputy, or Subſtitute whatſoever, ſhall receive any Certificate without the knowledge and conſent of the Judg of the Court, or willingly omit to cauſe any perſons, cited to appear upon any Court day, to be called, or unduly put off and defer the examination of witneſſes to be examined by a day ſet, and aſſigned by the Judg; or do not obey and obſerve the judicial and lawful monition of the ſaid Judg, to omit to write, or cauſe to be written, ſuch Citations and

Decrees, as are to be put in execution, and ſet forth before the next Court-day, or ſhall not cauſe all Teſtaments exhibited into his Office, to be regiſtred within a convenient time, or ſhall ſet down or enact as decreed by the Judg any thing falſe, or conceited by himſelf, and not ſo ordered or decreed by the Judg, or in the tranſmiſſion of Proceſſes to the Judg *Ad quem*, ſhall add or inſert any falſhood or untruth, or omit any thing therein, either by cunning, or by groſs negligence, or in cauſes of Inſtance, or promoted of Office, ſhall receive any reward in favour of either party, or be of Counſel directly or indirectly with either of the parties in Suit or in the execution of their Office, ſhall do ought elſe maliciouſly, or fraudulently, whereby the ſaid Eccleſiaſtical Judge or his proceedings may be ſlandered or defamed: We will, and ordain, that the ſaid Regiſter or his Deputy or Subſtitute, offending in all, or any of the premiſes, ſhall by the Biſhop of the Dioceſs be ſuſpended from the exerciſe of his Office, for the ſpace of one, two, or three moneths, or more, according to the quality of his offence, and that the ſaid Biſhop ſhall aſſign ſome other publick Notary to execute and diſcharge all things perteining to his Office, during the time of his ſaid ſuſpenſion.

CXXXV.

A certain rate of Fees due to all Eccleſiaſtical Officers.

NO Biſhop, Suffragan, Chancellor, Commiſſary, Archdeacon, Official, nor any other exerciſing Eccleſiaſtical Juriſdiction whatſoever, nor any Regiſter of any Eccleſiaſtical Courts, nor any Miniſter belonging to any of the ſaid Officers or Courts, ſhall hereafter, for any cauſe incident to their ſeveral Offices, take or receive any other or greater Fees than ſuch as were certified to the moſt Reverend Father in God JOHN late Arch-biſhop of *Canterbury*, in the year of our Lord God 1597. and were by him ratified and approved, under pain that every ſuch Judg, Officer, or Miniſter offending herein, ſhall be ſuſpended from the exerciſe of their ſeveral Offices, for the ſpace of ſix moneths for every ſuch Offence. Alwaies provided, that if any queſtion ſhall ariſe concerning the certainty of the ſaid Fees, or any of them: Then thoſe Fees ſhall be held for lawful, which the Arch-biſhop of *Canterbury* for the time being ſhall under his hand approve, except the Statutes of this Realm before made, do in any particular caſe expreſs ſome other Fees to be due. Provided furthermore, that no Fee or money ſhall be received either by the Arch-biſhop, or any Biſhop or Suffragan, either directly or indirectly, for admitting of any into ſacred Orders, nor that any other perſon or perſons under the ſaid Arch-biſhop, Biſhop, or Suffragan, ſhall for Parchment, Writing, Wax, Sealing, or for any other reſpect thereunto appertaining

taining, take above ten ſhillings, under ſuch pains as are already by Law preſcribed.

CXXXVI.

A Table of the Rates of Fees to be ſet up in Courts, and Regiſters.

WE do likewiſe conſtitute, and appoint, that the Regiſters belonging to every ſuch Eccleſiaſtical Judg, ſhall place two Tables, containing the ſeveral rates and ſums of all the ſaid Fees: One in the uſual place or Conſiſtory where the Court is kept, and the other in his Regiſtry, and both of them in ſuch ſort, as every man whom it concerneth, may without difficulty come to the view and peruſal thereof, and take a Copy of them: The ſame Tables to be ſet up before the feaſt of the Nativity next enſuing. And if any Regiſter ſhall fail to place the ſaid Tables according to the Tenor hereof, he ſhall be ſuſpended from the execution of his Office, until he cauſe the ſame to be accordingly done: And the ſaid Tables being once ſet up, if he ſhall at any time remove or ſuffer the ſame to be removed, hidden, or any way hindred from ſight, contrary to the true meaning of this Conſtitution, he ſhall for every ſuch offence be ſuſpended from the exerciſe of his Office for the ſpace of ſix moneths.

The

CXXXVII.

The whole Fees for shewing of Letters of Orders, and other Licences, due but once in every Bishops time.

FOrasmuch as a chief and principal cause and use of Visitation is, that the Bishop, Arch-deacon, or other assigned to visit, may get some good knowledge of the State, Sufficiency, and Ability of the Clergy, and other persons whom they are to visit: We think it convenient that every Parson, Vicar, Curate, School-master, or other person Licensed whosoever, do at the Bishops first Visitation, or at the next Visitation after his Admission, shew, and exhibit unto him his Letters of Orders, Institution, and Induction, and all other his Dispensations, Licences, or Faculties whatsoever, to be by the said Bishop either allowed, or (if there be just cause) disallowed, and rejected; and being by him approved, to be as the custom is, signed by the Register, and that the whole Fees accustomed to be paid in the Visitationsin respect of the premisses, be paid only once in the whole time of every Bishop, and afterwards but half of the said accustomed Fees, in every other Visitation, during the said Bishops continuance.

Apparitors.

Apparitors.

CXXXVIII.

The number of Apparitors reſtrained.

FOraſmuch as we are deſirous to redreſs ſuch abuſes & grievances as are ſaid to grow by Sumners or Apparitors: We think it meet that the multitude of Apparitors be (as much as is poſſible) abridged, or reſtrained. Wherefore we decree, and ordain, that no Biſhop or Arch-deacon, or their Vicars or Officials, or other inferiour Ordinaries, ſhall depute or have more Apparitors to ſerve their Juriſdictions reſpectively, than either they or their Predeceſſors were accuſtomed to have thirty yeers before the publiſhing of theſe our preſent Conſtitutions. All which Apparitors ſhall by themſelves faithfully execute their Offices, neither ſhall they by any colour or pretence whatſoever cauſe or ſuffer their Mandats to be executed by any meſſengers or Subſtitutes, unleſs it be upon ſome good cauſe, to be firſt known and approved by the Ordinary of the place. Moreover, they ſhall not take upon them the Office of Promoters or Informers for the Court, neither ſhall they exact more or greater Fees than are in theſe our Conſtitutions formerly preſcribed. And if either the number of the Apparitors deputed ſhall exceed the aforeſaid limitation, or any of the ſaid Apparitors ſhall offend in any of the premiſes, the perſons deputing them, if they

they be Biſhops, ſhall upon admonition of their ſuperiour, diſcharge the perſons exceeding the number ſo limited. If inferiour Ordinaries, they ſhall be ſuſpended from the execution of their Office, until they have diſmiſſed the Apparitors by them ſo deputed, and the parties themſelves ſo deputed, ſhall for ever be removed from the Office of Apparitors: And if being ſo removed, they deſiſt not from the exerciſe of their ſaid Offices, let them be puniſhed by Eccleſiaſtical cenſures as perſons contumacious. Provided, that if upon experience, the number of the ſaid Apparitors be too great in any Dioceſs, in the judgment of the Archbiſhop of *Canterbury* for the time being, they ſhall by him be ſo abridged, as he ſhall think meet and convenient.

Authority of Synods.

CXXXIX.

A National Synod the Church repreſentative.

WHoſoever ſhall hereafter affirm, that the ſacred Synod of this Nation, in the name of Chriſt and by the Kings Authority aſſembled, is not the true Church of *England* by repreſentation; let him be excommunicated, and not reſtored, until he repent and publickly revoke that his wicked error.

CXL.

Synods conclude as well the abſent as the preſent.

WHoſoever ſhall affirm, that no manner of perſon either of the Clergy or Laity, not being themſelves particularly aſſembled in the ſaid ſacred Synod, are to be ſubject to the Decrees thereof in cauſes Eccleſiaſtical (made, and ratified by the Kings Majeſties ſupreme authority) as not having given their voices unto them: let him be Excommunicated, and not reſtored, until he repent, and publickly revoke that his wicked error.

CXLI.

Depravers of the Synod, cenſured.

WHoſoever ſhall hereafter affirm, That the ſacred Synod aſſembled as aforeſaid, was a company of ſuch perſons as did conſpire together againſt godly and religious profeſſors of the Goſpel; and that therefore both they and their proceedings, in making of Canons and Conſtitutions in cauſes Eccleſiaſtical by the King's authority, as aforeſaid, ought to be deſpiſed, and contemned, the ſame being ratified, confirmed, and enjoined, by the ſaid Regal power, Supremacy and Authority: let them be excommunicated, and not reſtored, until they repent, and publickly revoke that wicked error.

WE of our princely inclination, and Royal care for the maintenance of the present Estate and Government of the Church of England, by the Laws of this our Realm, now setled and established, having diligently, with great contentment and comfort, read, and considered of all these their said Canons, Orders, Ordinances, & Constitutions agreed upon, as is before expressed; and finding the same such as We are perswaded will be very profitable not only to Our Clergy, but to the whole Church of this Our Kingdom, and to all the true members of it (if they be well observed) have therefore for Us, Our Heirs, and lawful Successors, of Our especial Grace, certain Knowledg, and meer Motion, given, and by these presents do give our Royal assent, according to the form of the said Statute or Act of Parliament aforesaid, to all, and every of the said Canons, Orders, Ordinances, and Constitutions, and to all and every thing in them contained, as they are before written.

And furthermore, We do not only by our said Prerogative Royal, and Supreme authority in causes Ecclesiastical, ratifie, confirm, and establish by these our Letters Patents, the said Canons, Orders, Ordinances and Constitutions, and all and every thing in them contained, as is aforesaid; but do likewise propound, publish, and streightly enjoyn, and command by Our said authority, & by these Our

Letters Patents, the same to be diligently observed, executed, & equally kept by all our loving Subjects of this our Kingdom, both within the Province of Canterbury, & York, in all points wherein they do, or may concern every or any of them, according to this Our will & pleasure hereby signified and expressed: & that likewise for the better observation of them, every Minister, by what name or title soever he be called, shall in the Parish Church or Chappel where he hath charge, read all the said Canons, Orders, Ordinances, & Constitutions once every year, upon some Sundaies or Holy daies, in the afternoon, before Divine Service, dividing the same in such sort, as that the one half may be read one day, and the other another day, the book of the said Canons to be provided at the charge of the Parish betwixt this & the Feast of the Nativity of our Lord God next ensuing: straightly charging & commanding all Archbishops, Bishops, & all others that exercise any Ecclesiastical Jurisdiction within this Realm, every man in his place to see and procure (so much as in them lieth) all & every of the same Canon, Orders, Ordinances, and Constitutions, to be in all points duly observed, not sparing to execute the Penalties in them severally mentioned, upon any that shall wittingly or willingly break, or neglect to observe, the same, as they tender the Honour of God, the Peace of the Church, Tranquility of the Kingdom, and their Duties and Service to Us, their King and Soveraign. In Witness, &c.

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